Volume XXXVI] *March, 1921* [*Number 1*

POLITICAL SCIENCE QUARTERLY

DEMOCRACY AND POLITICAL MORALITY

THE generalizations of history are seldom of interest to the reformer, for the simple reason that they usually stand in his way. But there is one important field which seems to have escaped analysis, where Clio offers unexpected help to those who in these troubled times are trying to keep their bearings by old landmarks, while fully aware that they are moving farther and farther from them every day. It is a generalization in the field of morals, and that is perhaps why it has escaped notice, but as it bears directly upon the most pressing problem of the hour—the effect upon society of the enlarged national control in industry and other things—it should offer whatever consolation it can bring to those who watch the running tide of public affairs with sad and disillusioned eyes, and it may perhaps help to cheer to some degree those who are struggling somewhat uncertainly to realize the aspirations of democracy.

If one looks over the political history of modern Europe and of America, three main facts stand out. There is in the first place that steady growth of representative government by means of the widening of the electorate, which now, at the close of the war, extends over practically the entire citizenship. This patent fact of the extension of the suffrage to a practically universal basis is what is in most people's minds when they speak of the growth of democracy in our era. Barrier after barrier has been passed until we have at last done everything which the conservatives of even a generation ago regarded as dangerous to the commonweal. We have done what Lecky so

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frankly characterized as political folly—we have placed power in the hands of the "unintelligent" and we have done this on a colossal scale. There is no need to elaborate this point, but it is only by contrast with the extremely limited electorate of a century ago, that we can grasp the full significance of the change which has taken place. Instead of a few thousand leading citizens, the masses pass judgment on the policies and acts of the modern state.

Parallel with this familiar fact runs another hardly less familiar but somewhat more intricate. The scope of government has increased almost as notably as the suffrage. The concentration of power in the hands of war governments was but an extravagant and revolutionary phase of a movement which extends back through our whole era. When the modern states were taking shape under the stress of the new business conditions which the industrial revolution had brought about, the theory of government was that of *laissez-faire*. The chief aim was to get rid of the hampering paternalism of the old régime and allow the individual free scope for the development of the new business relationships which had their roots in the factory and the mine. Political institutions based upon old territorial sovereignty and more or less outworn administrative procedure, were ill-adapted to control and direct intelligently the political forces emerging under the ægis of capitalism. The principles of the new freedom enunciated by Turgot in France and by Adam Smith in Britain, were embedded to the full in the one constitution of a great state which was drawn up at that time—that of the United States, where the tradition was further developed through the influence of great jurists like John Marshall. The Supreme Court of the United States became the ultimate safeguard of the liberties of the individual against the interference of the government, in the eyes of orthodox political theorists, rescuing sovereignty itself from the possible tyranny of national representation in Congress.

From about the middle of the nineteenth century onwards the trend of constitutional history has been along the lines of a growing conscious protest and an accumulation of legislative enactments against this first great principle of *laissez-faire*.

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One can trace the development in the multiplication of administrative offices as well as in the scope and character of legislation. The machinery of government in the modern state has grown so vast and intricate as to defy the analysis of all but the most highly specialized experts. Government is no longer possible on the simple basis of trial and error carried out by distinguished amateurs, and if parliaments retain in outward appearance much of their earlier form, their debates touch but a fringe of the vast political control which they exercise. This vast increase in the scope of government needs only to be mentioned to be recognized as hardly less typical, in the growth of modern politics, than the growth of the franchise.

Starting with these two familiar generalizations we come upon the third, which is intimately connected with them, but which seems to escape notice.

Both the extension of the suffrage and the extension of the scope of government have increased the possibilities of corruption. Personal responsibility grows ever more difficult to place. Even in the administration of single departments the impersonal tends to replace the personal and reliance to be placed on machinery more and on individual character less. Along with this growing impersonality of government grows the increased opportunity for corrupt practices from the very enlargement of its scope. With every enlargement there is that much more chance for graft. Wherever national affairs are entrusted to functionaries, which formerly were left for the private initiative of citizens, there is just that much more temptation for corruption.

Yet the history of public morals throughout the same period seems to indicate that the very reverse of this is true. Apparently, parallel with the enlargement of the suffrage and the extension of the scope of government, there has been, not a decline but a steady growth in public honesty. If this be so, the fact is of the utmost significance, for it means that a study of the past may relieve us of at least half our anxiety about the future. Distrust in democracy is twofold: distrust in its moral integrity and distrust in its capacity for affairs. If history can remove the former, the question narrows down to the simple—but as yet unsolved—issue of efficiency.

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But is this really the case? History does not often present any such argument for optimism; and it is surely a bold optimism which can discover, either in the processes of democracy or in a world so susceptible to political corruption as our own, any lessened menace from the selfish ambitions of those whose private fortunes are bound up with public affairs, or even from the hardly less corrupting influences of communities which, under the guise of local patriotism, prey upon the interests of the commonweal. Moreover, although this optimism is justified only, if at all, by the facts of history, the facts have not yet been grappled with in any large and synthetic survey by historians. No scientific history of corrupt practices in politics has yet been written, no counterpart to the manuals of constitutional history dealing with the shady side of that structure. Such studies of corruption as have been made have been concerned with specific or local issues or have been prepared as partisan attacks on political opponents, as pamphlets for the times, rather than as contributions to history. The subject of the misuse rather than the legitimate and sanctioned use of the machinery of government still awaits the scientific historian.

If, however, history has not solved the problem, it at least presents it to us; and it is time to examine its implications and frame a provisional hypothesis along lines which seem to fit the major facts upon which all can agree. Stated baldly, that hypothesis seems to be that, instead of increasing with the growth of democracy, the practice of corruption in politics tends to decrease. What can history do with such an hypothesis?

The first and most obvious answer is to be found in a broad comparison of the practices of today with those admitted as legitimate or practised widely at various stages of the development of the modern state. Take first the basis of representative government itself, the election. It is hardly necessary to do more than call attention to the contrast between the methods of today and those of a century or so ago. What civilized country would now submit to the practices, which Hogarth's pencil has, so graphically depicted, of the elections of the old régime? Dark corners still exist in all countries where such

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methods may be found, but they exist in defiance of the law and of the public conscience. The mixture of bribery and intimidation which so largely determined the suffrage upon which the government of the good old days reposed, would, if revealed today, endanger rather than strengthen the tenure of power of any civilized government which had consciously resorted to such devices. Yet some of the most glorious pages in the history of the English Parliament were due to statesmen whose power rested upon the support of men elected by means so corrupt as would today send to prison, instead of to St. Stephens, those who employed them. The revelations of the era of the first Reform Bill are so familiar to us that we seem to forget their implications in the contrast which they offer to the political life of today.

Corrupt manipulation of elections is, however, a much more intricate thing than that which shows itself in crude forms on election day. One is reminded of this especially in French elections, where the independence of the electorate suffers from the subtle but powerful influence of a bureaucracy whose interests are bound up with those of the administration, and perhaps as well from certain vested interests whose continuance depends upon government support. But the most pessimistic critic of the politics of the Third Republic may find a reason for hesitation in any wholesale denunciation of present evils by a study of the practices sanctioned by a man capable otherwise of such loftiness of view as Guizot. It is true that Guizot overreached the mark even for the France of his day, but the fact remains that the methods which he employed were by no means outlawed after his overthrow. Compared with any previous period of French history, the electoral practices of the France of the Third Republic invite the attention of the optimist.

The same general facts stand out in a survey of electoral practices in the United States. With successive administrations turning the tables upon their opponents there have grown up safeguards of the public against corrupt practices which would nullify its will as registered in the ballot, to such an extent that the things done openly even a generation ago would set their

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perpetrators now behind the bars of federal or state prisons instead of securing for them office and power.

However poorly the laws may still be enforced in backward communities, the laws which have accumulated upon the statute books during the last generation to maintain the integrity of elections, bear witness to a constant heightening of moral effort in the fundamentals of representative government.

If one turns from elections and parliaments to administration and the civil service, the same general tendency marks the history of the last half-century. Almost within the memory of the present generation power has been regarded as an avenue to wealth. If one extends the survey back to the beginnings of political institutions, one comes upon the time when such a maxim would be almost axiomatic. It has required the forces of revolution to induce kings and rulers even to account to the public for the spending of its money. The process by which government contractors founded noble houses and so perpetuated in vested interests the enjoyment of the fruits of office, furnishes a striking contrast to the theory of democratic administration that the public servant should receive less for his services than he could procure for the same ability directed toward private ends.

What is scandalous today in the administration of the modern state was common practice in the days preceding representative government, and continued to be not uncommon practice, avowed and sought, until our own time. It may indeed be that the moral standards set for public service by democracy have demanded such a degree of self-sacrifice that efficiency has been hampered. The voting tax-payer's reluctance to see others profit from his contributions to the public purse has clothed itself in the altruistic language of general self-denial; but whatever selfish motives may lie at the root, the effect upon the administrative staff itself has been a heightened sense of responsibility and the acceptance of standards of public honesty undreamt of in the past.

It may be objected that this is a misleading and superficial line of historical platitudes, and that while its legislative and administrative branches both have renounced the cruder

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methods of political corruption, the modern political system, extending as it does throughout the whole life of the nation, still perpetuates effectively, if more subtly, opportunities for corrupt practice. Where the public life and the business of the community are so largely controlled by legislation, and where that legislation is dependent upon so many personal factors, the problem of corruption tends to elude analysis. The critic of today may find in the functioning of government itself a counterpart of the cruder and more obvious corruption of earlier days.

The answer to this criticism demands more investigation than has yet been given it. But if it is meant to imply that wherever legislation responds to the call of interest, it is necessarily corrupt, we are surely carrying the theory of politics over to an unjustifiable altruism. It can hardly be a sane theory of government which would exact of legislation such a degree of disinterestedness as would dissociate it from any large section of the community on the theory that it was bound up with the prejudices and self-interest of those who secured its adoption.

The problem here involves the whole field of the history of morals; a field so difficult that historians of the more cautious temper are inclined to refuse to deal with it. What after all are the criteria to be applied? The moral judgment of one age is not always applicable to another. Political corruption may be simply another name for inadequate machinery of government or inexperience in handling it, or for a low degree of political capacity. It may be a short-cut towards efficiency and justified by its results or its adaptation to a particular time and country. The history of morals ceases to be historical if it judges all ages and societies by a single standard. Throughout most of the Christian era for instance, the morals of the Roman world have been appraised according to the standards of the Christian Fathers. Yet it would go hard with the world today if it were to be measured by the ideals of a St. Jerome. The problem of morals in history cannot be solved by the application of absolute principles. Judged by Christian standards the Romans were surely in about as bad plight when they conquered the world as when they lost it. The province of history

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is the slow upbuilding of the *civitas terrena* and not the depiction of divine government in a City of God. Yet, on the other hand, were we to eliminate from our criticism those principles which furnish us with a point of contrast with reality, we should be equally at sea. There is only one criterion which will meet this compromise between the idealistic and the realistic point of view. The test lies in what contributes most toward the commonweal. This does not mean what contributes most at any given moment, but what history in the long run will justify.

The conclusion seems to be that the further elimination of corruption in politics depends upon enlightenment. The chief measure of precaution on the part of any people is education, in order that it may discover where its own self-interest lies; and the only way to secure that end is by actual experience in political life, which means an ever-widening measure of democratic control.

The achievement of efficiency is thus a fundamental chapter in the history of public morals.

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SOCIAL EVOLUTION DURING WAR AND REVOLUTION

THE problem of social evolution during war and revolution is a different one in the case of each of the several belligerents, for the social process which took place during the war was conditioned by the social structure of the nation when it entered the war. It is obvious that the problems of an agrarian state would be different from those of an industrial state. Moreover, the data for such a study must necessarily include the character of the nation's industrial development, with special reference to the importance of large-scale and small-scale enterprises. Though for this reason it is impossible to draw general conclusions applicable to all nations, nevertheless we discover such similarity in the effects of the war wherever there is a capitalistic organization of production that, to a certain degree, we may attribute general validity to the principles observed in an individual case. Thus the attempt may be made to investigate the altered social conditions which have been brought about in Germany by changes in the economic system during war and revolution.

It is well to take as the starting point a consideration of the basic changes in the economic life of the community, for a discussion of social evolution would of necessity be incomplete and inadequate were it merely to observe the changes on the surface without delving deeper into the causes of social phenomena. Only the intuitive power of artistic vision can create a picture of the world in which economic and historic causes and their social effects are woven together into a convincing whole, a picture such as one finds in the works of Balzac portraying the *ancien rêgime* in France—dying, feudal, legitimate, aristocratic France—in the process of melting together with the middle classes, which, awakened by the Revolution, had attained a new position of social importance.

It was not by chance that Marx counted Balzac amongst his favorite writers, along with Cervantes and Shakespeare, who

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like Balzac depicted society as a whole. Though it is scientific in method, Karl Marx's *Kapital* is an epopee of middle-class society. He too endeavors to conceive the totality of existing society, and even more, he strives to unveil the totality of future times.

How did Marx view this evolution? He pointed out the great inner contradiction in capitalistic society, an inner contradiction which is by its nature economic but becomes social. The growth of productive forces, the possibility of increasing production, will not benefit all classes equally. On the contrary, because the capitalist can improve only the organization of production and increase the output of mass production through division of labor, while on the other hand he is unable to control the laws of the market to which he is subjected, capitalistic production will from time to time push into a vacuum. Production will be reduced, unemployment will increase, goods will remain unmarketable, and only after the extinction of numberless existences, only after a forced lull in production, will the play begin anew. Thus one industrial cycle will follow upon another, each more severe and more fatal than its predecessor. The working class, however, is not an amorphous mass, devoid of will, ready to bow in silent submission to the economic law. It is used in production but at the same time it is filled with a revolutionary power. The productive process unites the workers in large industries and thus creates a potential foundation for their organization. The more they become a mere accessory of the productive process by reason of the mechanism of the market, the more they awaken to class consciousness and the more revolutionary they grow—which is to say they develop out of themselves the idea of a new society. Hence, capitalism is not able to master either the economic or the psychological problems to which it gives birth. In a universal catastrophe resulting from an immense financial crisis, productive capital will be transferred from the hands of the capitalists into the possession of all. In this fashion, according to Karl Marx, the change will be brought about from capitalistic to socialistic methods of production and from existing society to a classless society in which everybody works and the

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social product is divided amongst all in harmony with the principle of justice.

This picture, as was subsequently proved, had been misdrawn. It represented the early capitalism of Marx's own time. English capitalism took on a different aspect, and the development of Germany was governed by still other forces. In Germany, as in England, capitalism is based upon scientific and historic factors. The historic factors in English capitalism; namely, England's insular position and her central transportation facilities on the world's routes of commerce, resulting in the development of her transportation and banking system, pointed toward free trade and manufacturing for exportation. In successful political struggles the English middle class overcame the opposition of the great landowners. England's possession of rich colonial territories facilitated this victory by enabling the Tories to accept the new situation without losing in either political or economic power.

German industry grew no less rapidly but was compelled to accommodate itself to the existence of the feudal powers which had suppressed the revolution of 1848 and, under the leadership of Prussia, had erected the Empire. In Germany, industry had been the spokesman for liberal ideas, and in Germany also originated the theory that a protective tariff at best was justifiable only from an educational viewpoint. And yet in precisely this respect German development was brought about with careful regard for agrarian interests. Neither social nor political consequences were drawn from the industrial system. Alarmed by a menacing social condition, employers sought the protection of the feudal powers, all the more readily since the latter had built up an efficient mechanism of government. Moreover, several other factors tended to diminish the explosive power of the new social idea.

Capitalism, despite the conditions of free competition originally existing, was able to organize itself gradually. The tendency toward organization, not only on the part of labor but also on the part of capital and production, gained ground and became international in scope because the expansion of the productive forces lagged behind the increase of population

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during the period beginning in the 'nineties. This tendency toward organization was supported and strengthened in Germany by the protective tariff. Furthermore, while production organized itself in cartels and formed ever larger combinations, gigantic enterprises and associations resembling trusts, it was confronted by alliances of the workers and employees in trade unions. The trade unions, however, comprised only twenty per cent of all the workers (the total membership numbered about two and a half millions) before the war, but as a matter of fact they really had the power to turn the scales. The organizations of employees and civil servants were on the threshold of a rapid development. The middle classes and the agrarians were easily organized. Such was the grouping of social forces. Germany was no longer a country of free competition and of free social movement.

By degrees the classes solidified into firm bodies and the above-mentioned organizations, based upon interests, created a balance of power. The *Tarifvertrag*, a contract between the organizations of employers and the trade unions, was resorted to more and more frequently before the war for the adjustment of interests and came to be the symbol of social conditions inasmuch as it recognized the existence of class conflicts but at the same time mitigated them. In the crisis of 1900 one may observe new traits not found in the devastating breakdowns of earlier decades. It might better be called a depression. The tendency toward organization in the industrial sphere, that is toward the organization of the market for products and for labor, was supported by the tendency which worked against concentration in economic and social respects.

Economic concentration, however, could not be denied. Large fortunes were of quickest growth, but the concentration of capital was paralleled by its diffusion. Industrial securities, mortgages and the bonds issued by the government, the states and the cities found an ever larger market. The rise of a *rentier* class, a class of middling and small investors, characterized German social life, particularly in central, western and southern Germany. These small investors constituted the social sphere from which were recruited the lower and middle

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ranks of the civil service, the more highly paid private employees, the elementary and high school teachers. The German middle class formed a large social aggregate which cannot be counted as a part of the employer-group, and yet was not proletarian. It may be estimated that before the war at least five million men and women were included in this class, which by such a calculation would be two-fifths the size of the proletariat. Thus originated a group of small capitalists subjected as consumers to the price policy of cartels and trusts but nevertheless supporting the capitalist order because part of their income was linked up with it.

This economic fact had an important social consequence. As the group of employees and civil servants developed, the proletariat ceased to be the only class which was growing, or even the class which was growing most rapidly. Regardless of the fact that it was not a united class, but torn through the differentiation of skilled and unskilled workers, it now found itself surrounded by a circle of small middle groups —foremen, post-office clerks, the lower grades of salaried employees, steady workers in public enterprises. The whole complicated hierarchy can be understood and comprehended only by those who lived in it, but the order of rank within the hierarchy was recognized by all who were included in it. And this very fact of the recognition of class distinctions tended to support and strengthen the system.

The whole middle class, a highly differentiated world in itself, confronted the proletarians. The employer or capitalist was the economic opponent of the worker but did not represent a social class into which the worker could force his way. Consequently, all talents which were not devoted to politics or to the trade-union movement were crowded together into the groups forming the lower middle class. Thus by a thousand channels the intellectual forces of the proletarians were poured into a class which was heterogeneous within itself and hostile to them. It was precisely the most capable members of the proletariat who were estranged from their own class. The ascent into the sphere of "society" lasted, if it happened at all, for generations, and ended but in bourgeois circles. The

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broad world of industrial and feudal magnates, the world of the officers and the nobility, remained exclusive. There was no path leading up from the proletariat to the governing classes. Thus the proletariat in Germany was perhaps well disciplined and educated but it was confined to and satisfied with a narrow sphere which offered little prospect for advancement. No big or independent trait characterized its life. Its revolutionary force was diverted.

If an exaggeration may be permitted, one may say that the proletariat as a whole conformed to the ideas and modes of life of the lower middle classes and that the same tendency was evinced even in its fighting organization, the trade union. This situation was dependent in part upon the political constitution. The basic idea of democracy, and therewith the possibility for the workers to enter the ranks of the really governing classes, remained foreign to Germany. The middle-class ideal remained the workers' personal goal in life. One should not be led astray by the fact that in his songs and in his fighting slogans the German workingman seemed to demand the whole of society. Capitalism was becoming stable. Both the danger of economic crisis and the danger of social catastrophe were substantially reduced.

The war disturbed the development of an industrial capitalistic society which was gradually calming down. Economic and social development was diverted into different channels. One may say indeed that the war in itself brought about a social upheaval. And there were no theories or ideas which accounted for this upheaval; theories and ideas supplied only the forms for the expression of the unrest and of what was new. Neither is the war, in my opinion, to be conceived as an event following the main current of capitalistic development, excepting where capitalism had united with the feudal classes and become subordinate to a military power.[1] To be sure, once it breaks out, war is bound to exhibit certain features in an industrial country; every war in an industrial country must

[1] Compare with this the author's paper "A Sociology of the World War" in the *Archiv für Sozialwissenschaft und Sozialpolitik.*

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become an industrial war, for every country will, if it becomes a belligerent, go into the war with all the forces at its command. Now for an industrial country it is essential in wartime to exert greater strength than would be supplied by normal production, even if foreign imports, which mean indebtedness, are left out of account.

An agricultural country can conduct a war only with its yearly products, *i. e.* with its crops. The stock of industrial goods in the country and the size of the crop will be decisive as regards potential strength. This cannot be changed substantially from day to day wherever agriculture is the main source of production. Hence agrarian countries are quickly exhausted in war. This fact explains the shortness of breath manifested by belligerent countries in past times. Armies were equipped during the winter and remained in the field scarcely half a year. Warfare meant chiefly manœuvering, as there was no army which had at its disposal the weapons, munitions *etc.*, necessary for intensive warfare.

An industrial country, on the other hand, may wage war the year round, since it is able to mobilize accumulated wealth. Moreover it possesses a productive machinery which, unlike the productive forces of an agrarian state, can be immediately adapted, as regards the direction and the intensity of production, to the needs of the war. Hence ensue the following consequences: (1) The development of war industries. Industries which under normal circumstances would turn out productive goods (particularly machines and building) will now produce munitions *etc.* Such being the case, the productive capital of the country cannot be kept intact, much less can it be enlarged. Existing equipment has to suffice. The same statement holds true with regard to the production of a great many consumption goods, such as textiles and leather products. These will be produced for the armies instead of for private consumption. (2) The utilization of the existing stock of productive capital and consumers' goods for war purposes. The economic pressure of war may even go so far as to strip individual households of carpets and other textile furnishings which may be used in the manufacture of substitutes. Both of these condi-

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tions are scarcely possible in an agricultural country. (3) Finally, a third effect of war upon industry is the taking up of loans in neutral countries or the export of capital to such countries and the utilization of the equivalent for war purposes. This process cannot occur in an agrarian country except on a much smaller scale, because a predominantly agricultural community cannot get credit as easily as an industrial country and because the former is not yet centralized in the organization of its economic life. For the same reason the government of an agrarian state will not be able to control private economic interests as accurately or effectively. The credit system, above all, will be defenceless. Whereas, in a country like Germany, the central banking system will furnish capital to the government instead of receiving capital from the government as would be expected by the advocates of a mere historic materialism.

Just as in the dimensions of its industrial organization for war an industrial state will far exceed the possibilities of an agricultural country, so also in its financial methods it will follow an entirely different path. In a highly developed industrial country it is utterly impossible to defray all the expenses of the war by cutting down incomes. An agricultural country, on the other hand, can pay the costs of its warlike preparations gradually out of the proceeds of taxation—if it enjoys no credit it cannot do otherwise—and it will conduct the war itself by means of contributions and requisitions. But the industrial country must originate new production, and it can do so successfully only if it entrusts the task to already existing or newly arisen enterprises. Parallel with this phenomenon there will be, as has already been indicated, a curtailment of private consumption as a result of the diversion of consumers' goods to the army.

Since it is necessary to resort to the production of capita goods and subsequently to their "melting down"—in order to compensate the rightful owners with legal tender—it is plainly impossible to restrict consumption by levying such high taxes that the full equivalent for the increased consumption can be realized. As the income of a country invariably consists of the sum total of consumers' goods and not of capital goods, it is

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obvious that their equivalent cannot be obtained through the curtailment of incomes by means of taxation. Hence, legal tender will have to be substituted for consumers' goods where there is no new production of the latter. Thus the war producer will become the possessor of purchasing power in addition to that which already existed, and every war will in this way bring about inflation in any industrial system, even though the war may be financed in the most approved manner by subscriptions to loans. Be its tax laws ever so rigorous, no state escapes this necessity. Only the confiscation of capital and income can facilitate the conduct of war from the aspect of public finance. The destruction of values, however, is a fact which cannot be altered by financial expedients. In time of war, therefore, inflation will be brought about and will be accompanied by a shifting of prices due to the violent disordering and diversion of the ordinary channels for the circulation of goods.

Inflation will be inevitably connected with social changes, since the war will alter conditions in different branches of business and in different social classes as well. Considering the principal branches of business, one may observe: (a) Agriculture, which had steady business conditions. In agriculture, costs increased but little and military losses depleting the supply of labor were compensated by the employment of prisoners of war. Consequently, beginning with the first weeks of the war, agriculture accumulated capital and that in an inverse relation to the size of the farms. The value of the accumulated capital, to be sure, has been reduced in the meantime by the depreciation of the currency. (b) Industry, in so far as it was war industry, likewise accumulated capital. In the later years of the war, however, it was handicapped by the scarcity of raw materials and of coal as well as of workers. (c) "Peace" industry reorganized for the greater part into direct or indirect war industry. (d) What really suffered was commerce, especially the export trade and the wholesale business. It was restricted as regards all goods the distribution of which was placed under government control. The older, long-established wholesale trade was dislodged by the new "wild" trade con-

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ducted by illegitimate intermediaries. The latter had, however, a legitimate function within the limits of capitalism, namely, to find the most solvent purchaser for the scanty supply of goods. The more rigorous the control exercised by the government, the greater became the earnings of the "illegitimate" trade and the greater the efforts to expand it.

The social effects proceeding from the economic conditions of the war might be summarized as follows:

(1) Concentration of capital. The smaller enterprises are "swallowed up" by the larger. Small savings are absorbed, that is to say, mortgages are repaid and the small investors exchange the proceeds for war bonds, the market rate of which is going down and the market value of which has a diminishing purchasing power. In this case Marx's prediction that under competitive conditions one capitalist kills a hundred small ones fails to hold true. The smaller accumulations of capital take the form of savings and as such are expropriated.

The economic conditions of war cause a dislocation of the economic centers of gravity. The economic importance of particular branches of business and even of whole territories is shifted. Thus, for example, the economic importance of East Prussia and West Prussia as well as of Bavaria increased extraordinarily during the war, because those territories, by reason of their surpulses, accumulated large capital stocks. Agricultural states won a monopolistic position which they had not hitherto possessed. The agricultural districts, therefore, rank with the munitions industry as monopolistic interests governing economic life in time of war.

(2) A similar development is to be found in the case of labor. In the first instance the labor market was favorable to the working class throughout the war. In spite of the existence of a military dictatorship during the war, in spite of the unremitting subjection of the entire population and its productive power to the purposes of the war, the intensified demand for labor gave the workingman a position of monopolistic power. Moreover, the legislation which was designed to increase the military power and to place at its disposal the entire force of labor (*e. g.* the compulsory service law) had to be

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based upon this situation, and the indirect effect of such legislation was to enlarge the power of the workers and of their trade unions through the adjustment and factory committees. The complete absorption of the reserve army of workers did but accelerate this development. Thus the workers also gained a monopolistic position which enabled them, without resorting to strikes, to enforce their demands in matters of considerable importance. The social importance of the workers was enhanced, especially in comparison with that of the groups which had previously been considered as constituting the higher social classes, namely, civil servants of middle and lower rank, private employees *etc.* This leads to the third point.

(3) All the intermediate elements, the middle-class groups of various types described in an earlier portion of this article, have been wrecked through the war. Salaried employees obtained during the war only minimal wage increases. The civil servants, reduced in numbers, loaded with work, under-nourished and with insufficient increases of salary, soon lost all power of keeping to their accustomed level of consumption. As a result they felt themselves not only economically but at the same time socially degraded. Furthermore, the middle-class groups, being thus depressed in social status, could no longer be conceived of as the goal of the social aspirations of the working class. The small *rentiers* or investors—who constituted in Germany a broadly defined class possessing decisive cultural importance—were proletarianized. Inasmuch as their revenue was derived from mortgages, government securities and war loans, their incomes, although remaining unchanged in absolute amount, suffered considerable depreciation in value. All these groups will no longer be able to live in their accustomed style. The civil servants and salaried employees must change their mode of life and the *rentiers* must look for work. In proportion as they failed to make this readjustment successfully, they drew upon their saving and even sold personal belongings. This group was not a powerful social factor during the war. They worked, quite as a matter of course, and devoted themselves unreservedly for war purposes. Small increases in salaries provided a most inadequate compensation

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for the increase of prices. Indeed the real income of these middle-class groups was substantially diminished.

Thus, toward the end of the war, the *nouveaux riches* were confronted by the *nouveaux pauvres*. This contrast was progressively accentuated with the continuation of the war.

If one considers these shiftings, these movements of capital and of income, from the viewpoint of money value; if one observes on the one hand the opulence born of war-time booms and on the other hand the growing pressure, one may be tempted to regard the situation as a fulfilment of the Marxian prediction, that is to say, the concentration of capital and the expropriation of the classes possessing only small means. This view, however, must be substantially corrected in one respect. The concentration of capital, manifesting itself in the large accumulated earnings and in the enhanced value of all existing capital goods, is not synonymous with the accumulation of larger stocks of capital goods in the hands of capitalists, for all capital stocks have deteriorated, are less fit for use and stand in need of repair. No mine, no factory, no farm, emerged from the war in a state of good repair. All required restoration. If industry and agriculture have been enriched in spite of this deterioration within themselves, the enrichment simply means the impoverishment of other large groups of people. Because accumulated wealth as a totality had been so much diminished, every person owning a machine, a house, or productive power in general, found himself in possession of a certain amount of monopolistic control. Furthermore, many persons were enriched in purchasing power as possessors of war loans, money or bank credits received in compensation for services rendered to the government for war purposes. This sort of wealth, however, consists merely of the claims of the nation against itself. It is merely abstract and has a tendency to diminish in purchasing power. It is capital only in so far as it represents potential command over labor, only in so far as it makes possible the establishment or continuation of productive enterprises.

In a word, the destruction of economic life which, notwithstanding illusory appearances of prosperity, had already mani-

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fested itself to discerning eyes during the war, tended to promote progress toward a higher phase of capitalistic production, better organization, concentration of capital on the one side and on the other side organization, amelioration of conditions and augmented social power for the workers, and finally, the atomization and degradation of wide ranks of the middle classes. This shift had already been brought about by the war. It was not, however, until the collapse of the old system that the development was fully accomplished and the following new facts were brought into existence:

(1) The collapse of the old authoritative system in Germany had a direct effect upon industry, inasmuch as the employers in Germany, especially during the war, had been identical with the classes possessing governmental, and especially military, authority. This was particularly true of the munitions industry, where the employer and manager was at the same time the military superior of the workers, who were exempted from military service by reason of the fact that they were needed in the munitions works. The end of the war, therefore, meant a *débâcle* for the employer. This explains why the German workers could regard a severe national defeat as a victory, which they turned to account immediately in passionate agitation for higher wages, demands for a shorter working day, insistence upon the amelioration of working conditions *etc.*

(2) Not before the resumption of international commerce and the subsequent raising of the blockade did the rate of exchange become the central economic problem. German exchange had been overvalued throughout the war. The blockade, which necessitated a strict balance between imports and exports, the credits granted to Germany during the war and maturing with the end of the war, and finally the confident belief that the outcome of the war would not be unfavorable to Germany, all cooperated to maintain mark exchange at a rate not justified by the level of prices in Germany as compared with the prices in neutral countries. As proof of this statement the fact may be mentioned that during the war one could live more cheaply with German money in neutral countries than in Germany itself. The rate of mark exchange was so

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high that the purchasing power of the mark was greater in foreign countries than at home. The rush of German exporters for foreign exchange, together with the psychological effects of Germany's collapse and the flight of capital, reversed this relationship. The mark fell so rapidly and so far that the currency of neutral countries obtained a higher purchasing power in Germany than at home. The American, who at present can exchange ten dollars for about one thousand marks, may buy considerably more with the one thousand marks than he could buy in the United States with his ten dollars, in spite of the steadily rising prices. This disparity leads to price-leveling and stimulates exports from Germany. As a result of the unfavorable conditions of exchange, wages are extremely low if reduced to their exchange value. The falling rates of exchange have counterbalanced or more than counterbalanced all the wage increases secured at the time of the collapse and subsequently, relatively large as those wage increases were.

Even though it will soon be a year and a half since the termination of hostilities, the tendencies outlined above, far from diminishing or reversing themselves, have only grown stronger. The labor crisis, the maturing of foreign credits, the difficulty of securing new credits, the drop in exchange rates, the urgent necessity of repairs that cannot be postponed and the scarcity of raw materials and coal—all these factors combine to bring about a situation in which more goods are consumed than can be produced. The inflation unavoidable during the war has but been aggravated. Surveying the whole of German economic life, one can find as yet no accumulation of capital, but only an accumulation of purchasing power. Nominal wealth increases and becomes ever more highly concentrated. In some instances, notably in the steel industry, the growth of wealth might proceed rapidly enough so that the real value of the capital stock might not be diminished and perhaps might even be somewhat increased. But, taking German economic life as a whole, it is still true today that wealth is diminishing. This process is promoted by the exchange situation. It could be checked only by the successful negotiation of foreign credits for Germany, since foreign credits, by

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raising the exchange rates, would set a limit to the "clearance sale" now going on in Germany.

An intensification of this situation is produced by the obligations imposed upon the German people by the peace contract, as these obligations can be met, in the last analysis, only as exportation is stimulated. Since exports of goods, however, are not balanced in the ordinary way, they will not contribute to the rectification of mark exchange. But as long as this exchange situation exists, the outflow of capital from Germany will continue. It is by the export of capital and the sale of capital goods against foreign exchanges, which again will be turned into food and into raw materials, that the exhaustion of German economic life will proceed.

To be sure, the individual who sells capital goods or consumption goods to foreign countries, does so in order to realize a profit, and he personally will make a profit today, since the foreign exchange which he will receive, let us say in pounds sterling, will give him an extraordinarily large purchasing power in Germany, much larger than were he to sell his goods for marks. From a general viewpoint, however, this statement is but a different expression of the fact that the seller obtains a claim on the remaining stock of goods at home and may demand a share of those goods greater in value than what he sold abroad.

The economic condition of Germany as a whole will not be benefited thereby. The sale will have the effect of increasing inflation, especially if paid for in food, which may be a necessary import and condition of existence. As regards impoverishment, nothing will be changed by this "clearance sale". If selling out is advantageous to the sellers themselves, this fact proves merely that as a consequence of the selling process the concentration of the remaining capital is proceeding.

Capital, thus being concentrated in the manner which we have outlined, will gradually be transformed into paper, be it in the form of a pile of notes or of war loans. Furthermore, in so far as there is a transfer of shares to foreign countries, the profit of the seller will be due to higher quotations, which are but the reflex of the falling mark exchange. This is par-

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ticularly in evidence where new shares, which are now issued in large numbers, replace the goods which have been exported, for these new securities merely create new purchasing power to finance the old enterprises and to furnish the means necessary to continue the struggle for markets under conditions of enhanced prices.

Hence, the longer such conditions endure, the more rapidly concentration proceeds. But the economic fund, the substance which concentrates, will continuously diminish. Inasmuch as German economic life, considered as a whole, becomes impoverished in its equipment of capital stocks, the enrichment of individuals will be but fictitious. This fact has long been obvious in the case of capitalists who possess notes, war loans, mortgages and, in short, securities payable in currency. Compared with ante-bellum values, these securities have depreciated 80 or 90 per cent. What concerns the owners of capital goods is that a continuation of this process will also diminish the real wealth of the groups taken as a whole. More and more, it becomes necessary for the upper classes to reduce their standard of living, to express in their own mode of life the impoverishment of the general economic life. This necessity is not altered by the accompanying phenomenon of the piling up of large fortunes in the hands of commercial groups.

At the other pole of society, the dislocation which began during the war is proceeding with similar inevitability. While wages rise, their real purchasing power declines. The groups of salaried employees and civil servants are most severely affected. In spite of considerable increases of salary, they have for a long time been unable to maintain their old standards of furniture, clothing, maintenance *etc.* Sooner or later all of these groups become proletarianized. This change will be accompanied by a breaking down of class distinctions as they exist in our minds at present. The more rapidly the wages of the workers are increased and the greater the political power of the workers becomes, the less does it matter to the civil servant whether he belongs to the middle class or not. He, too, now participates in trade-union organization and he, too, adheres to the teachings of socialism. It is only one step further

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to the achievement of a unified economic-political front behind which all employees, whether private or public, whether hand-workers or brain-workers, will be arrayed.

Thus economic life during the war and in the transition period presents much the same social picture as Marx had predicted for the culminating point of capitalistic development, namely, the concentration of capital, on one side command over social wealth, and on the other side increasing misery, revolt, growing pressure, and a drift toward a classless society. There is this difference, however, that the catastrophe, that is the revolutionary situation, has not been brought about by the contradiction between the growth of productive forces and the receptivity of the market, but on the contrary, by the impoverishment, destruction and annihilation of productive forces during the war. And there is another significant difference, that we do not find, on the part of capital, an accumulation of real values which need only to be thrown into gear in order to pour out an abundance of consumers' goods. But rather we find in essence purchasing power, abstract wealth, which represents only command over the remaining productive forces in the country, the forces of labor. The meaning of capital as the power to command labor, as the potentiality for the creation of a working process, has now become manifest as never before.

The social transformation brought about by the war concerns Germany primarily, but it also reaches farther. The change of wealth into fictitious paper wealth in the form of claims held by ourselves against ourselves is connected, as has already been said, with the fact of the war, not with the defeat of Germany. Hence, a similar development will be found in all those states which could not develop their productive forces, notably in Italy and France. It is for this reason that these countries, particularly France, expected indemnities as a matter of course. There are, however, two sides to the question of indemnities. If on one hand they mean an enrichment of the victorious country, on the other hand they are bound to bring about a pressure on the labor market as well as on the commodity market. Just as the "clearance sale" is apt to give a delusive

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impression of a boom, so also superabundant imports give the impression of a crisis. Numerous branches in industry will suffer, a pressure on wages will be felt, and the apprehension will arise that the indemnities are of dubious advantage, inasmuch as they enable the conquered country to find, by means of its forced exports, new markets, which it will retain after the indemnities have been paid. Thus, the victorious country may pay for the indemnities with a lasting injury to its own industry. For this reason there may develop, even amongst the victors, a powerful opposition to the enforcement of the peace treaty. In this connection, however, the economic forces set in motion by the war will develop to their full extent. The more so, since the exchange situation of the European countries as over against the United States will invite the same process of a "clearance sale" as that described in the case of Germany. In these other European countries, as in Germany, will appear the phenomena previously indicated: creation and concentration of paper wealth; a fictitious increase of wages and salaries; the formation of a community of interests among all employees of all shades and ranks; and, finally, a general impoverishment which, though forgotten in the ecstasy of victory, now asserts itself only too unmistakably.

The process of social evolution will take in the whole of Europe, although, to be sure, it will have least effect upon the victorious countries, in which the authority of the government and of the employers has been least violently shaken. In this manner, the social problem has become a world-historic problem. All the objects for which the war was waged, possession of land and acquisition of spheres of influence, have receded into the background. Each country is concerned with its own affairs and the social crisis is far from adjustment, no serious steps having been taken toward its solution.

Now at last we recognize the deeper meaning of the assertion that a modern industrial country cannot wage a prolonged war. How often have economists been sneered at because before the war they gave voice to this opinion, an opinion seemingly controverted by the apparently successful prosecution of the war. It is clear now that the war could be waged but at the price of

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ruin. The dubious advantage possessed by an industrial as contrasted with an agricultural country is, in a word, the power to ruin itself. That, the agricultural country cannot do, because it cannot exhaust itself to the same extent. The industrial country can do it and has done it, alas, to an excessive degree. It has destroyed its wealth and, with its wealth, its social structure. This result is to be seen even in the victorious countries. If the obligations incurred by the protracted war had to be liquidated in a normal way by Italy, France and England, that is to say, if the loans which were taken up during the war had to be paid back, there would follow a train of ruinous consequences such as forced exports, reduction in the quantity of supplies available for domestic consumption, keen competition on the part of the creditor country (in this case, the United States of America). Furthermore, a liquidation or adjustment of the social changes which took place during the war will mean, in the victorious countries just as in Germany, that one must face the problem of substituting real values for paper fortunes. Such a substitution is possible only through a very extensive transfer of property by means of taxes on capital. It is a most difficult problem to handle, and the difficulty is all the greater since even in the victorious nations the social position of the workers has been substantially strengthened and consequently the liquidation of the war cannot be shifted as in past centuries to the broad shoulders of the masses through the agency of famine or of wholesale bankruptcies.

In this tragic situation of the European continent two possibilities appear: (1) A coalition for purposes of reconstruction may be formed by all those states which during the war became creditor nations. Among the creditor countries are included not only neutrals, such as the South-American countries to which France and Italy are indebted, but also all the nations victorious against Germany. A coalition of this nature must necessarily aim at either the liquidation of all obligations contracted during the war, or the postponement of their maturity to a much later date, when the productive forces, and particularly the supply of labor, have been replenished. Furthermore, the coalition will be obliged to open new credits, to

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bridge over the lapse of time until the balance between production and consumption has been restored in the countries which participated in the war. This means nothing more than the abandonment of war gains, or at least the granting of a respite before payment. This renunciation would have to be the price of maintaining capitalism in European countries during the transition period, if indeed it be possible. Implied in the renunciation is recognition of the fact, that modern countries cannot wage prolonged wars without becoming insolvent, and, furthermore, that in these days of close-knit world enterprise, even countries which did not directly participate in the war must share in the evil consequences of war. Knowledge of this fact more than anything else would prevent wars in the future.

(2) In case no such action is taken for purposes of reconstruction, the poverty of the belligerent world will manifest itself in an acute and pitiless form. It is true that the impairment of working capital and of property by surplus consumption is not important if related to the whole economic system. However, the more marked the contrast becomes between productivity and consumption, the more serious any unnecessary consumption will become. The capitalist who does not consume the whole income of his enterprise but accumulates savings and hence participates in the formation of capital, performs a social function. Nevertheless, with the general impoverishment of economic life, his function will be misconstrued and social discontent will make it difficult to maintain the principle that the capitalist should be permitted to accumulate wealth without interference.

Finally, the less effectively the disparity between consumption and production is overcome, the more necessary will it be to fix a minimum maintenance for everybody. For that reason the establishment of a control over the whole system of production will be needed. Thus, socialization is the path of development for all those states which, having endured a long war, now find themselves compelled to get along with diminished productive forces. Socialization merely of productive goods with control of production and consumption will not alone suffice, without also control over labor and the increase of the most important

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asset still remaining to the exhausted belligerents, namely the productivity of labor. This progress toward socialization cannot possibly be checked either in the defeated or in the victorious countries. It will proceed in an organic or in a revolutionary manner, with greater or smaller injuries, according to the enlightenment of the governments and propertied classes. It is the necessary consequence of the social evolution which, while producing a concentration of capital, failed to strengthen the social power of capitalism as a whole. Capitalism can scarcely survive the after-effects of the war. From this viewpoint, capitalism may be regarded as a peaceful economic system, which, because of its connection with feudal classes, overstrained its own forces and impelled itself into a most severe crisis.

Similar phenomena are to be discovered in the neutral countries (and economically the United States may be reckoned with the neutrals), though they did not develop there with the same intensity. In these countries the social crisis has been much less acute. Thus from the economic point of view the world may be divided into two hemispheres: the first consisting of the belligerent countries and confined by their depreciated currency to a very limited international intercourse, thrown back into autarchy, forced into a socializing process of rationalism and asceticism; and the second, comprising the neutral countries with fuller productive forces, with an increasing real income and an increasing capital equipment. However, expansion of the latter countries is hampered by the loss of former markets, so that the disturbance of world economy by the war affects them also. Either they must renounce the gains of the war and participate in the general losses, or else their industries will be under the necessity of looking for new markets. Either alternative will be followed by social transformations, the effects of which will be similar to, though weaker than, the changes which we have outlined for the belligerents. The whole world is thus shown to be one united territory in an economic sense. As a whole it has entered into a social evolution which human power may perhaps prove too weak to check.

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FRANCE AND THE VATICAN

AS early as 1872 Gambetta aroused Republican France to the dangers of clericalism in a famous speech made at Saint-Julien.[1] And it was during the Dreyfus crisis that Emile Zola's "*J'Accuse*" sounded a similar warning. To those who recalled the stinging words of these accusations, the suggestion of the Millerand government that an embassy be sent to the Vatican[2] (on March 11, 1920) and the subsequent dispatch of M. Doulcet as *chargé d'affaires* to Rome, marked a profound as well as questionable change in the policy of the Third Republic. Was this to be another journey to Canossa? No; the government was insistent upon that point, for the Separation régime was to be maintained intact. If then the relation of Church and State was to be unaltered, what was the cause of this deliberate *volte-face?*

The answer given to this question was based almost entirely upon considerations of foreign policy. The diplomacy of the Quai d'Orsay is founded upon the belief, however heart-rending, that the international position of France is insecure. Not only is France inferior in man-power and in potential resources to those nations which she has just "vanquished", but she no longer can rely upon the support of those allies which made her victory over Germany possible. Russia, whose armies once kept constant guard on Germany's eastern door, is given over to disorder and disintegration. England, despite the protestations of San Remo and of Hythe, is still "perfidious Albion" on whom France places but slight reliance. America, whose troops perhaps saved Paris but whose diplomacy prevented the

[1] Gambetta said: "There remains a party that you know well, a party which is the enemy of all independence, of all enlightenment and of all stability, for this party is the declared enemy of all that is wholesome, of all that is beneficent in the organization of modern societies. It is the enemy . . . you have named it; it is 'clericalism'." G. Hanotaux, Contemporary France, vol. i, p. 504.

[2] For the text of the bill asking credits for the maintenance of an embassy at the Holy See, see *Temps*, March 13, 1920.

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realization of the *victoire intégrale*, has hastened home to the smug joys of western provincialism, piously thanking Providence that she is free of the "wickedness" and "imperialism" of European statesmen. Thus, France finds herself alone, in the presence of an enemy concerning whose strength and ultimate aims she has no illusions. France does not look to the League of Nations for protection from Germany, because the League is provided with no sanction and lacks the support of the United States. She believes that she must seek new friendships and new alliances. The dread of an approaching "isolation" has led the Millerand government to resort to every possible means of building up France's diplomatic position. This explains the change of attitude toward Rome.

But the question may be asked, what influence does the Vatican have upon the devious course of European diplomacy, the processes of which so often have been but distantly inspired by motives either of religion or of altruism? However, despite the fact that the Pope has long since lost claim to temporal authority, he nevertheless exercises a considerable influence upon many subjects of European and Asiatic States. The Holy See has not bent its efforts so much to control governments for political ends *per se*, as it has endeavored to assure what it regards as the "legitimate" rights of its followers.

Papal policy in this respect has led to some strange inconsistencies, the effects of which have been nowhere more apparent than in Turkey. The Infidel and the Christian, no doubt, are sworn enemies, and the Vatican at Rome has little in common with the Caliphate at Constantinople. But, paradoxically enough, the policy of Turkey has proved more liberal toward non-Mohammedan sects than that shown by many Christian countries toward dissenting faiths within their borders. With the exception of intermittent massacres, caused more by fanaticism than by a fixed governmental policy of forced conversions, Armenians, Copts, Maronites, Greeks, Catholics, and Orthodox—all have been allowed to worship according to their own faith.[1]

[1] On this point see The Balkans, A History, Oxford University publication, pp. 185–186; H. N. Brailsford, Macedonia, pp. 22–26, 162–166; Lord Eversley, The Turkish Empire, pp. 88–89, 314–315.

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Consequently it is only natural for the Vatican to believe that if Turkey should fall into the hands of an Orthodox Russia, religious toleration would come to an end. The Russian Church would command the adherence of all Christian sects in the Turkish domains; and as it Russianized the Uniat[1] followers in the Ukraine after 1795, so it would commence ruthless warfare upon Roman Catholicism and all its works, in Asia Minor, Syria, and Palestine. The presence of England in Turkey, the Vatican may well believe, would lead to similar results. If the British are more liberal in their missionary methods, they are at least prejudiced against Catholic activities. These considerations, which the Balkan Wars and the establishment of national churches in Moslem territory forced upon the Holy See, have curiously awakened it to the advantages of the maintenance of the remnants of the Turkish Empire. Under Moslem sovereignty, Catholic activities are given a free field; under a Christian, non-Catholic régime, they are bound to languish.[2]

The political and cultural influence of France in parts of Turkey, especially in Syria and to a certain extent in Asia Minor, has been of considerable importance, despite the German hegemony over Constantinople. French is the chief language by which foreigners may be understood in Turkey. In order to operate the German trains on the Baghdad railroad, orders must be given in French. French missions have been the *foyer* of Gallic culture and influence in the Near East. Ever since France and Russia quarreled over the guardianship of the keys to the chapel of the Holy Sepulchre, France has been regarded as the traditional protector of the Christians in Syria and the Near East. Indeed, it is one of the anomalies of politics that when France was speaking most loudly in defense of Catholic missionaries in Syria, she was persecuting the

[1] The Uniat Church professes allegiance to Rome, but maintains the Greek rite. See The International Encyclopedia, vol. xxii, p. 648. On the Russian suppression of the Uniat Church, see W. A. Phillips, Poland, pp. 158 *et seq.*

[2] "Ad Limina Apostolorum," by Etienne Fournol, *Europe Nouvelle*, May 1, May 8, 1920, two articles dealing with the Vatican's attitude toward the European powers and world diplomacy.

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Church most bitterly at home. When the anti-clerical crisis was at its height, Italy recognized the French guardianship of the Holy Land, by agreements signed in July, 1906, and January, 1907.

Thus France has acquired a political and cultural influence over Moslem lands, the loss of which she does not wish to hazard by the partition of Turkey. Hence, the French government has consistently opposed the occupation of Constantinople by Russia (despite the secret pacts of 1915), and has no less strenuously objected to Britain's demand to drive the Turk from the Byzantine capital, for fear that it would be occupied by powers whose interests would conflict with those of France.[1] Thus France and the Vatican find that the maintenance of the Turkish Empire is a common aim, in the achievement of which each may assist the other.

The Vatican's antipathy for the Russian Empire and for its dogmas of Orthodoxy, has also expressed itself in the vigorous support of Austria-Hungary. The relations of Church and State in this now defunct empire were of the closest nature.[2] A French authority writes:

> The empire which has disappeared was, whatever one may say of it, something more than a mere Catholic *façade;* let us grant that its whole style of architecture was conducive to the comfort of Catholicism. Where, in modern Europe, were institutions to be found better able to guarantee respect, security and well-being to the clergy, or better suited, through their adaptability to the public standard of morals, for making the clergy's influence felt? All the authorities, with the sovereign at their head, made public profession of the Catholic faith; the schools were open for religious instruction; monastic institutions flourished. And all this, at any rate until the war, had every appearance of stability—a point which was of great importance for Rome and which must have led to more than one comparison with the quicksands of parliamentary democracies.[3]

[1] See editorial, "Luther contre Mahomet", *Europe Nouvelle*, February 28, 1920; also, "Le Partage de la Turquie", *Temps*, May 8, 1920.

[2] For the terms of the Austrian concordat, see Catholic Encyclopedia, vol. ii, p. 130.

[3] Charles Loiseau, "The Vatican and the New States of Central Europe", *New Europe*, Sept. 25, 1919.

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Thus Austria for long years has served as the soldier of Rome in Central Europe, the Balkans, and, indirectly, in Turkey. But the Vatican has been compelled to pay for this protection. The Habsburgs, while professing to be devout sons of the Church, used it largely as an instrument to enforce their despotic rule upon unwilling subjects. Political duties were expected of the clergy and at the outbreak of the war they were forced into propagandist work. In the Balkans they have been used to stir up sterile discord between members of different national churches. And the Austrian government even tried to prevent the negotiation of concordats between Rome and Montenegro (1886) and Serbia (1914), in the hope that the persistence of secular quarrels would tip the scales of the balance of power to the advantage of the Habsburg Empire.

The close dependence of the Church upon the Dual Monarchy naturally caused both to be associated as agents of oppression. It resulted in the dominance of a Germanized higher clergy over the lower clergy who had arisen from the ranks of non-German peoples. As a consequence, the Church lost influence, the so-called Catholic party in the Austro-Hungarian Empire numbering only ten per cent of the electorate. In the days of Pius X the Church was quite willing to bolster up absolutism. But the growth of nationalism among the subjugated peoples of this variegated empire, accompanied by the social enlightenment which the Church partially absorbed under the astute leadership of Leo XIII, caused the Vatican to realize that its Austrian alliance must soon come to an end. The Church was forced to choose between the political support of sovereigns governing by "divine" right—*la politique eucharistique*—and the devotion of the peoples of these sovereigns. Fortunately for the Church, it was not obliged to make this choice on account of the outbreak of war and (three years later) of the Russian Revolution.

It need not be gainsaid that the establishment of the bolshevist régime in November, 1917, was not consciously supported by the Vatican. But it is none the less true that with the advent of the Lenine government—anti-clerical and anti-

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religious—the "menace" of Orthodoxy as a proselyting and intolerant religious antagonist in the Balkans, Central Europe and Turkey, came to an end. And it is another curious political coincidence that forces so diametrically opposed as are the Church and the soviet government, should find their policies so mutually sympathetic.

With the Revolution of 1917 came the destruction, at least temporarily, of the Russian Church as a contender with Roman Catholicism. And with this event the purposes which the alliance between Austria and the Vatican had served, ceased to exist. This should be sufficient answer to those who assert that the Vatican was unalterably opposed to the destruction of the Habsburg Empire at the end of the war. Furthermore, the activities of the Church in entering into diplomatic negotiations with the new countries which have sprung forth from the remains of Emperor Charles's estates, show that it cherishes no hostility toward the new nations of Central Europe. On the 8th of November, 1918, the Pope addressed a letter to the cardinal secretary, part of which read as follows:

> We have instructed Our Nuncio at Vienna to enter into friendly relations with the various Austro-Hungarian nationalities which have recently constituted themselves into independent states. The Church, the perfect society, whose only end is the sanctification of mankind in all times and all countries, even as she adapts herself to all forms of of government, can also accept without any difficulty the *legitimate* territorial and political changes of the nation.[1]

The destruction of the Austro-Hungarian Empire has freed the Church from an unholy pact. But the Vatican is fully aware that to prevent the creation of national and independent churches (such as the Greek, the Serb, and the Bulgarian churches) in this territory and to restore Catholicism in the hearts of the former subjects of the Habsburg dynasty, an advanced social and political program must be pursued. The obstacles are many. The government of Vienna has become anti-clerical and Republican: the union of Church and State must necessarily come to an end. The Croats and Slovenes,

[1] As quoted in M. Louiseau's article, cited above.

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good Catholics without doubt, have merged their political fortunes, along with Orthodox and Moslem populations, in the new state of Jugoslavia, from which the Vatican can expect but scant regard. In Czechoslovakia the clergy is reported to be up in arms against the Holy See; the marriage of priests has been demanded and the establishment of a national church advocated. A Socialist government has negotiated a concordat separating Church and State and arranging for the settlement of ecclesiastical property.

But despite the passing of the old order, upon which (notwithstanding its defects as regards Austro-Hungary) former popes have invoked divine blessings, the Vatican has assumed the most sympathetic attitude toward these new states. One of the significant indications of a profound change in papal policy has been the reception at Rome of diplomatic representatives of these new-born governments. In October, 1919, Rome recognized the new state of Czechoslovakia, sending Mgr. Micara as official representative to Prague.[1] The Socialist chancellor of Austria, himself a notorious anti-clerical, has asked an interview from the Pope; he has been received, and the question of receiving a Papal Nuncio at Vienna has been discussed. The Pope has also received delegates from Jugoslavia, Rumania and Poland.[2]

Again, in Central Europe, there is reason for France to feel that her interests are identical with those of the Vatican. The creation of a large number of small, necessarily weak states has opened greater opportunity than ever for the establishment of a Germanic "*Mitteleuropa*". It is to the interest of France—in fact, it is fundamental to French foreign policy—to bring these new states into the spheres of French political and cultural influence. Most of the peoples residing in the new states of Hungary, Austria and Bohemia are Catholics. Even though the Vatican may have little influence over their governments, it will exercise considerable power over many of their inhabitants.

[1] See foreign correspondence, *Journal des Débats*, édition hebdomadaire, Oct. 24, 1919, p. 722; Oct. 31, 1919, p. 765; Dec. 5, 1919, p. 912.

[2] "La France et le Vatican", *Revue politique et parlementaire*, May 10, 1920.

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It is to the interest of Rome to increase its influence over these new states. It is likewise to the interest of France to increase French influence over them. Thus, here again a community of interests exists; and France sees the value of utilizing the position of the Holy See to increase her own foothold in Central Europe.

The Millerand government recognized the worth of this argument in the preamble of the bill establishing an embassy at Rome. It read:

> Each readjustment of frontiers in central Europe arouses religious questions, especially in regions where races are intermingled and where conflicts of nationality and language are accompanied with those of religion; for this reason, the presence of a French representative at the Vatican is natural and legitimate—to support the demands of our Allies and to strengthen the work of our treaties.

In a third respect, France and the Holy See find their interests among foreign nations to be identical. This is in regard to Poland. The erection of an independent Poland, to serve as a buffer state between Prussianism and Pan-Slavism, bound closely to France by political and economic ties, has been a cardinal principle of French diplomacy. But Poland is profoundly Catholic in spirit and in politics.[1] In fact, it has been the Catholic Church which has kept alive the flame of Polish unity through a long century of partition.[2] And today Catholicism is the chief bond holding the divergent factions of the Polish nation together.

The significance of the resurrection of Poland to the Vatican, is stated by H. Loiseau in these words:

> The Holy See could not but welcome—and in fact does welcome—the resurrection of Poland. It is a political miracle in which perhaps only a few popes had the merit of believing while all the world doubted. It is a moral triumph to be shared between Catholicism and the

[1] For the present influence of Catholicism in Poland, see H. N. Brailsford, "Poland as Barrier", *New Republic*, May 3, 1919.

[2] On this point see W. Alison Phillips, Poland, pp. 23, 45 *et seq.*, also Ralph Butler, The New Central Europe, pp. 92 *et seq.*

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national principle since the maintenance of Polish spiritual unity through all these centuries of trial would have been unthinkable without unity of faith. It is to some degree a political triumph as well. A "Catholic" power reborn in the twentieth century is something to awaken the liberal and nationalist Catholics of 1848 from their graves and to justify the most serene assent on the part of the *curia*—little used to seeing republics founded upon such guarantees.

Although we cannot tell as yet to what extent the new Polish institutions will be impregnated with the Catholic doctrine and tradition we know that these will always count in the domain of morals and that the papacy can reply in that country upon the great mass of public opinion. Moreover, it can offer the Government of Warsaw, in addition to valuable help in fighting the Germanism which is still gnawing at Posnania and the spirit of Bolshevism blowing across the eastern frontier, a most effectual and constant aid in raising the general level of culture and of popular education. In fact, the interests of Church and State not only coincide, but are actually dependent upon each other. The Catholic reorganization of Poland—the reestablishment of dioceses suppressed by the Russians, the restitution of the property confiscated by the Russian State, the acts authorizing seminaries, monastic congregations, and denominational schools *etc.*—is in itself a kind of reinstatement of the whole country in its national patrimony, and at any rate an elimination of foreign elements. It is not astonishing, therefore, that diplomatic relations have already been entered upon between Rome and Warsaw, and that they should promise to be fruitful.

France cannot afford to ignore the influence of the Vatican upon Polish foreign policy, for a word from Rome may seriously compromise a lasting friendship between two countries upon which the maintenance of the peace of Europe may rest. Under these conditions it would be folly for the Palais Bourbon to persist in a policy of resentful aloofness toward the Holy See.

Thus in Poland, in Central Europe and in the Near East, the French government has apparent reason to feel that it may find a use for the Vatican. French interests elsewhere will be similarly served, for there are French missionaries in the Orient, dependent on Rome; there are Catholic missions in the former German colonies of Togo and the Cameroons; there are

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Catholic parishioners in Morocco, who are demanding the same confessional rights as those now existing in Tunis. The absence of a French representative at Rome in the past has harmed French interests in these and other regions. In former French mission fields, Italian and German priests have been replacing French priests. Why? Because of the lack of recognition (thus the argument runs) accorded by the French government to papal authority.[1]

Thus the reasons which have been advanced in French circles for the resumption of relationship with the Vatican, are truly "*raisons d'état*". They have little to do with religion; they form part of the European system of scrambling for spheres of influence, of the Balance of Power, of concessions—in short, of imperialism. But the other nations are playing the game and France does not feel that she can remain a silent spectator. She does not feel that she can permit bitter anti-clerical memories to stand in the way of the maintenance of her position in Europe, so seriously threatened by allies and enemies alike.

The absence of a French representative at Rome was felt keenly throughout the course of the past war. It may or may not have been true that the Vatican was possessed of German sympathies. So strongly was this belief held in France that in many instances it led to a revival of the old spirit of Gallicanism within the ranks of the clergy itself. When Pope Benedict XV in the fall of 1914 asked that prayers be offered for immediate peace, the French bishops refused to allow them to be said without the qualification that the peace to be prayed for should adequately guarantee French interests.[2] Likewise, the Pope's peace message of August, 1917, was deeply resented by Frenchmen, Catholic and non-Catholic alike.

If, indeed, the Vatican were pro-German, it was not without reason. France had no representative at Rome to offset the propagandist activities of the agents of the Central Powers. Austria, of course, kept an ambassador at the Vatican, while

[1] "La France et le Vatican", *Revue politique et parlementaire*, May 10, 1920.

[2] Annual Register, 1914, p. 303.

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Germany was represented by two ministers, one for Bavaria and one for Prussia. So strongly did William II wish his Vatican policy to be interpreted as being purely political, that he always appointed—not a Catholic—but a Protestant to the post.[1] The continual representations of the Central Powers, whose propaganda at Rome remained uncounteracted by French influence, coupled with the fact that the Allies were composed of an anti-clerical France, an Orthodox Russia and a Protestant England, were bound to influence the attitude of the Holy See toward the war.

Before 1914, a religiously antagonistic Russia saw the advantages of having a representative at Rome to neutralize to a certain extent the activities of Austria. Partly also because of the diplomacy of Leo XIII, who desired to establish relations with every power in the world, whether Catholic or non-Catholic, a Russian minister was sent to Rome during his reign, the first envoy being M. Isvolsky, who later became minister of foreign affairs.[2]

At the outbreak of the war Great Britain was quick to realize that the Pope's influence over millions of British subjects, as well as over the enemy countries, was not to be despised. Realizing the necessity of keeping the Vatican informed as to the principles for which the Allies were fighting, and also of counteracting German influence, the British government in the early months of the war dispatched Sir Henry Howard upon a special mission to Rome. According to some writers,[3] the effect of this move was almost immediately perceptible. For Sir Henry Howard (and later, Count de Salis) was able to secure a fairer hearing for the Allies, one result of which was

[1] The diplomatic relations between Bavaria and Rome were not even broken off during the war. The Papal nuncio continued to live in Munich, while the Bavarian minister retired to Switzerland. Here diplomatic correspondence was carried on with the Vatican; and the Italian government always respected the use of the Vatican's mail pouch for this purpose.

[2] Other powers maintaining embassies at the Vatican are Belgium, Netherlands, Portugal, Spain, United Kingdom, and most of the American republics, except the United States and Mexico. See Statesman's Year Book, 1919, p. 1172.

[3] See Samuel Hoare, "The British Mission to the Vatican", *New Europe*, Sept. 18, 1919.

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the effort of the Vatican to repress the opposition of the Irish priesthood to conscription.[1]

Lazare Weiller, a deputy from Alsace-Lorraine, in an article in the *Figaro*[2] has even gone to the point of saying that if France had had access to the Vatican in 1917, when peace negotiations were in progress, the end of the war upon terms favorable to France might have been brought about. Whether this be true or not, there is some reason to believe that French interests would have been measurably served by the maintenance of a representative at Rome—less as a courtier, than as a business agent and a watch-dog. The agitation in England to make the mission to the Vatican a permanent one and the presence at Rome of German representatives are having a deep influence upon official French opinion.

There were those, on the other hand, who argued that the resumption of diplomatic relations with Rome would injure French foreign policy by antagonizing the Italian government. Would Italy remain unconcerned at the restoration of that friendship with the Vatican, which between 1859 and 1870 prevented the culmination of Italian unity? On the twenty-fourth of March,[3] M. Millerand pronounced this fear groundless at a meeting of the committees of Finance and Foreign Affairs of the Chamber. He said that he was able to announce that the Italian government saw no obstacle, as far as its relations with France were concerned, to the dispatch of a French envoy to the Holy See. The Italian press also corroborated the statement of the president of the council. Thus the *Corriere del Parlamento* wrote:

We can only rejoice at the *rapprochement* between France and the Holy See. But can the Italian government remain apathetic in the presence of this event which will certainly be of much importance in the history of the Church and of France? Can the diplomatic relations between the Braschi Palace and Saint Peter remain confided to a

[1] This result was vigorously denied in a "No Popery" editorial in the *London Times*, which charged the clergy with obstructing Irish conscription. For Cardinal Logue's reply, see *New York Times*, May 2, 1918.

[2] March 23, 1920.

[3] *Temps*, March 25, 1920.

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simple and excellent functionary who scarcely has the time to look after his own office? And what attitude and what assistance does the Italian Catholic party intend to give to the government and to Italy in the presence of redoubled French diplomatic activities in our country? And will not this pacific—and we also say happy—rivalry soon force upon us the problem of a clear and definite agreement between the Vatican and Italy? For the historical forces of the Catholic Church are a deep-rooted reality and every statesman worthy of the name cannot but admit it.[1]

Likewise the *Gazetta del Popolo* demanded that Italy also come to terms with the Vatican, in order to protect its own interests upon equal grounds with France.[2] The "menace" of Jugoslavia is causing Italy to cast about for new friends. And it would indeed be a strange phenomenon to see Italy forget the burning encylicals of Piux IX and the fulminating protests of Piux X, and follow France in a suit for papal favor!

The question of Alsace-Lorraine has a peculiar bearing upon this problem. At the time Germany annexed these provinces in 1871, the French Church was governed by the Napoleonic concordat which provided for the control of clerical appointments by the government, in return for which the Church was given financial aid. This régime was maintained practically intact by Prussia in Alsace and Lorraine. By the concordat of 1901[3] the German government was given the right to control the appointment of certain priests, while it agreed to pay the salaries of Catholic, Protestant and Jewish clergymen residing

[1] As quoted in the *Temps*, March 15, 1920.

[2] As quoted in the *Review of the Foreign Press* (Political Review), April 2, 1920.

[3] In a letter to the *Journal des Débats* (édition hebdomadaire, March 21, 1919), M. Lazare Weiller argued that France was entitled and in fact obliged to resume diplomatic negotiations with Rome, on account of the concordat régime existing in Alsace-Lorraine. Weiller's article was replied to by "Un docteur en droit" (éd. heb., April 25, 1919), who declared that the German government had never asked the privilege of the old concordat and that it had never nominated archbishops and bishops. Weiller replied that the distinction was merely a formal one; for the emperor in reality dictated these appointments. There is some confusion as to what concordat governs Alsace-Lorraine. Both M. Weiller and the Catholic Encyclopedia (vol. i, p. 342) speak of a concordat of 1901; while "Un docteur en droit" refers only to the French concordat of 1801.

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in this province. In 1907 the bishops of Strassburg and Metz each received the sum of 16,000 marks from the government. The State also contributed an annual fund toward the maintenance of the different confessions, the Catholics receiving $660,000, the Protestants, $218,750, and the Hebrews, $43,790.[1]

When Alsace-Lorraine was given over to France in the fall of 1918, the French government was faced with two alternatives: it must either denounce the concordat governing the religious policy of the German government in Alsace-Lorraine, or it must recognize it and assume its obligations. The first of these solutions was impossible, despite the fact that the Clemenceau government was inclined toward it. There are over 1,400,000 devout Catholics in this district, not to speak of the Protestants and the Jews who likewise benefited from the concordat régime. An impartial authority on Alsace-Lorraine, says:

> The attitude of the people [of Alsace-Lorraine], devoted as they are to their religion, is diametrically opposed to the French separationist régime and anti-clerical spirit. The great teaching and charitable orders of the Roman Church are recognized by law. . . . The crisis of the *Kulturkampf* has long ago passed away, so far as these provinces are concerned; they remain attached as strongly as ever to the old traditions of worship and ecclesiastical organization. The Protestant sections of the community, too, would be opposed to any changes tending to break up the collaboration between Church and State, or to interfere substantially with the prevailing conditions. Even the most vigorous opponents of Germany are agreed that an attempt to secularize education and to substitute a lay staff for the existing *congréganistes* would provoke the strongest resistance.[2]

The French government must be aware that the Lorraine question is by no means a settled one. The contrast of French bureaucratic methods—inefficient and over-centralized—with the former German system of administration, has been far from favorable to France. If the government had added a religious

[1] Catholic Encyclopedia, vol. i, p. 342.

[2] Coleman Phillipson, Alsace-Lorraine, p. 247.

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grievance to the one of self-government, it would have sunk a well of discontent that would have required years of "penetration" to fill. Consequently, the concordat régime was informally maintained. On April 22, 1919, the government issued decrees naming Mgr. Ruch as bishop of Strassburg and Mgr. Pelt as bishop of Metz.[1] And France was presented with the very humorous spectacle of Georges Clemenceau—bitterly anticlerical and a *libre-penseur*—appointing bishops to the Catholic Church!

But such a decision on the part of the French government necessarily entailed negotiations with Rome, because the appointment of bishops was a matter of common agreement. How could such an agreement be reached if some sort of communication were not held with the Vatican? M. Clemenceau managed it as well as he could; but at the best, he was forced to resort to unofficial representatives, who, on account of their very lack of official status, could not be satisfactory to either party concerned.

But there was even a stronger reason than the establishment of a firm foreign policy and the appeasement of Alsace-Lorraine which led the Millerand government to make its plea. This was the desire permanently to remove the issue of "clericalism" from French politics. From the formation of the Radical-Socialist party in 1901 down to the elections of November, 1919, with the exception of a few intervening ministries, the French government has been in the hands of the parties of the Left, who have remained united upon one issue—that is, hostility to the Roman Catholic Church.

It would be fruitless to discuss the long struggle against clericalism in France, beginning under the Third Republic with the attempt to place the Count of Chambord upon a throne pledged to the restoration of the pope's temporal power. Neither would it be profitable to go into the details of the conflicts, nor to describe the measures by which the Radicals, under the iconoclastic leadership of Combes, Clemenceau and Caillaux, drove the monastic orders out of France, shut out

[1] *Temps*, April 25, 1919.

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clerical influence from the government, and severed the official relationship between Church and State.

Whatever be the merits of this long and bitter controversy, its one outstanding effect has been to divide France into two intensely hostile camps. The antagonism has been so acrimonious that since the anti-clericals have come into power, the higher offices of the government have been largely filled with men who not only have not been Catholics, but who have been inclined to sneer at religion of any sort and the moral principles for which it stands. Accusations have even been made that government employees have been forbidden to go to mass, under threat of discharge from their positions! Mr. Bodley, writing before the passage of the disestablishment laws, gives a number of instances in which government officials were not allowed to have anything to do with Catholicism. Speaking of the intolerance of the anti-clerical, he says:

> The intolerant system under the Third Republic differs from all persecution known to history, in that it is not only practised in the name of liberty, but it aims at laying official disability on an established religion. Not that there is any vexatious legal restraint on the cult of the Roman Catholic faith analogous to the English Penal Laws or to the Revocation of the Edict of Nantes. The clergy are free to provide public offices in the churches for every hour of the day and night. Nevertheless a French citizen who is dependent on the State for his livelihood is not always at liberty to accompany his wife and his children to mass on Sunday morning, without risking his future prospects and their means of sustenance.[1]

Mr. Bodley also quotes an editorial from the *Journal des Débats* (November 17, 1893) which said:

> No one has any idea what a noxious and insupportable creature is the anticlerical in the provinces. Always eager to accuse others of fanaticism, he is the bitterest and most oppressive of fanatics himself. Under the mask of free-thought he would like to prevent his neighbors from thinking differently from himself, being violently and despotically narrow, for all his boasts of liberal-mindedness. If he were a harmless fanatic it would not matter. But he is an aggressive persecutor; ma-

[1] Bodley, France (1907 edition), p. 117.

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lignantly meddling in affairs which do not concern him; attacking or denouncing honest folks, public functionaries and others, with whose conscience he has nothing to do; threatening them on account of their opinions, which he calls "subversive" because they do not agree with his. If he be a town councillor, or in any similar position, he uses all his influence to set up irreligion as a standard of citizenship.

It is needless to add that the result of anticlerical intolerance upon political life in France has been largely to remove from it the very type of men needed to grant stability and character to the Republic.

It cannot be gainsaid that clericalism has been a menace to Republican institutions. Leo XIII's encyclical letter of 1892, asking Catholics to "rally" to the Republic, was unsuccessful, as the Dreyfus affair was to prove. But with the settlement of that case, which will always remain a blotch on the scutcheon of French justice, and with the passage of the disestablishment laws of 1905 and 1907, the clerical menace became largely a thing of the past. The adoption of a conciliatory policy would not only have strengthened the position of the Republic, but it would have done much to unite the widely divergent factions in French political life. There were many statesmen who saw the necessity of such a policy. Aristide Briand and Raymond Poincaré preached it; the Federation of the Left, organized by Briand in 1913, and also the Republican Democratic Alliance adopted the doctrine of "pacification" as one of the chief planks in their platforms. But the Radical-Socialist party would have nothing to do with such a policy. To them, it represented the disguised efforts of reaction to regain ascendancy. To their loud cries of "Wolf, Wolf!"[1] they added bitter execrations against M. Briand, who became their most bitter enemy. Whether or not the followers of Combes and Caillaux were sincere in their belief that the return of clericalism was imminent, once vigilance were relaxed, the strongest reason for their opposition to "pacification" was the fact that the very existence of their party was dependent upon the maintenance of the anti-

[1] See the brochure entitled "Déclaration du parti", 13me Congrès du Parti Républicain Radical et Radical-Socialiste, Pau, October, 1913, brochure, pp. 384–385.

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clerical issue. The long continuance of the Radical party in power was not because of its social program, which differed little from that of the Socialist followers of Jaurès; but it was because the party had driven the Church out of politics. When all of the less extreme elements in French politics admitted that the Republic was no longer menaced by Catholicism (the return of thousands of exiled priests to join French armies at the outbreak of the war was proof of that), the Radicals still insisted upon a danger which in reality no longer existed. Although they were willing temporarily to associate themselves with Catholics in the *Bloc National*, formed in the elections of 1919, it was done at the price of party unity and with qualms of conscience which were soon to lead to violent recantations.

But at the same time there were many Protestants (as well as anti-clericals) who were not convinced that the Pope had given up all hope of restoring his temporal power and his past influence over the direction of governments. The energetic efforts of the Vatican to enter into diplomatic relations with Catholic and non-Catholic nations alike appeared to many as a renewed attempt to secure political support for a renewed attack on Separation régimes and the Law of Guarantees and on every kind of separation between Church and State. The French government assumed this attitude throughout the course of the war. When, in July, 1918, the Vatican and the Chinese government had agreed to exchange ministers, and, in fact, when the Pope had appointed the Most Reverend Joseph Petrelli as papal nuncio to China, the French government entered a vigorous protest.[1] Its objections rested upon three grounds: (1) that the establishment of diplomatic relations between China and the Vatican was a contravention of the Treaty of Tientsin of 1858, which recognized a French protectorate over Catholics; (2) that it had been inspired by Germany in order to embroil the relations of France with China; (3) that the Vatican had been sympathetic with the Central Powers throughout the war, and hence that China, as an ally, could not subject itself to the influence of the Vatican. The

[1] See *New York Times*, July 13, 18, 26, and August 10 and 11, 1918.

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Pope's success in establishing diplomatic relations with Portugal in 1918[1] was another move to arouse French fears.

But there is not the slightest possibility of the establishing of a state religion in any of the countries (with the possible exception of Poland) to which the Vatican has lately sent papal nuncios. Frequently, Protestants, Orthodox Christians, Confucianists and Moslems comprise majorities. More often the governments of these countries are Socialist. The very fact that the Pope has been willing to receive delegates from these completely lay and neutral states, so far as religion is concerned, should be proof that the Vatican has finally reconciled itself to the new order of international society. No longer can it hope to be bound up inextricably with governments. Henceforth its rule cannot claim to be corporeal or even sovereign. The Vatican must restrict itself to the spiritual control of millions of Catholic communicants. It wishes, in return, that European powers recognize that it is an anomalous force in world politics. For it represents an *international* organization which has concentrated tremendous power in Rome over property and individuals situated the world over.

The papal encyclical "On Christian Reconciliation", issued the last of May, 1920,[2] is of extraordinary significance in the light of these facts. For it abrogates the rule which has caused so much friction in the courts of Europe, preventing Catholic sovereigns from visiting the king of Italy, whose existence the pope refused to recognize because he had been dispossessed of his lands to furnish a capital for the new nation.

It will be recalled that President Loubet's disregard of papal wishes in this respect led to the rupture between France and the Vatican in 1904. On April 24, President Loubet returned the visit which the Italian sovereign had made to France in the preceding year. On May 16, *L'Humanité* published the protest of the Holy See against this visit. Pius X declared that M. Loubet had gravely offended the Vatican by thus recognizing the Italian ruler in open defiance of the pope. He also added that if the papal nuncio remained in Paris, it was only

[1] *New York Times*, July 13, 1918.

[2] *Ibid.*, June 2, 3, 1920.

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because special matters of grave importance kept him there. The tone of this note could have only one result, the severance of relations with Rome.

In the light of the break of 1904, the repeal of this inhibition may be regarded as a direct concession to France (and more particularly to Italy). Benedict XV justified it in these words: "It seems to be called for by the gravity of the moment and the established custom of exchanging visits for consultation between the heads of States and Governments." Benedict was forced to make this move[1] by the pressure of Catholic sovereigns, unable longer to resist the pressure of socialist and anti-clerical elements in their governments. In another respect the Vatican has been compelled to recede from its former position. Originally it forbade Catholics to vote or become candidates in Italian elections; but the formation of the Italian Catholic party, which in May and June, 1920, was strong enough, in cooperation with the Socialists, to drive the Nitti cabinet out of power, has also brought about papal acquiescence. These admissions virtually constitute the recognition of the Italian government. From this viewpoint a recognition of the separation of Church and State in France is not far removed. The Vatican, it appears, is willing to make this concession if France in turn will reciprocate by sending an ambassador to the Holy See.

The government has emphasized the fact that this move will alter the separationist régime in no particular whatever. Its purpose in advocating such a change, as pointed out, was to put in effect the policy of "pacification" which the great majority of voters in the 1919 elections approved. As a Protestant minister and deputy, M. Soulier, has said, the dispatch of a representative to Rome will conform to the wishes of the millions of loyal Catholics in France and it will remove the prejudices which they may now hold against the government because of its past anti-clericalism. To achieve this result, the Millerand government wished to have its proposal approved

[1] On this point see *New York Times*, June 3, 1920; also "World Powers Welcome Vatican—Quirinal Peace", by Frederick Cunliffe-Owen, *N. Y. Globe*, June 8, 1920.

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by an overwhelming majority. If a strong opposition develops, provoking serious discord and possibly renewing the religious conflict, the aim of the government will be lost: French unity will not be achieved.

Unfortunately, the opposition has raised its head. The Radical-Socialist group of the Chamber has again insisted on the menace of clericalism and has pronounced against the embassy to Rome. The Democratic Left of the Senate has done likewise. In this body (the Senate) the opponents of "pacification" are concentrated. The elections of 1919, returning conservative majorities to the Chamber, had little effect upon this higher body, but slightly controlled by public opinion. The Free Masons have proclaimed that "the reestablishment of the French embassy at the Vatican is a recognition of the sovereign rights claimed by the Papacy." The *Fédération des Jeunesses Laïques* has awakened from a long sleep, freshened to engage in another struggle. The trenchant pens of Anatole France and other "intellectuals" call up recollections of Jesuit machinations and revive the financial scandals of the *Union générale*. Would that these elements would heed the prophetic words of that great anti-clerical, Léon Gambetta, who said, "Clericalism is not an article of exportation!" For they are now making it their political stock in trade. France is confronted with a great opportunity: that of bridging a gulf which has been injurious to the Republic since its creation. The dispatch of a French representative to the Vatican does not involve granting the Church additional privileges; it is not concerned with the more or less academic discussions of the temporal power or theological polemics relating to papal infallibility. But it is a purely political move, internationally and internally, upon the favorable issue of which the happy future of the Third Republic may depend.[1]

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[1] Up to the present writing (February, 1921) the French parliament has postponed decision as to granting credits for a permanent embassy at Rome. Although the Chamber of Deputies has voted its acquiescence, the Senate's approval has remained in doubt. The question is to be settled definitely when the new Senate, elected this January (in part), reconvenes.

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ENGLAND AND THE EGYPTIAN PROBLEM

IT is axiomatic that the termination of the Great War did not usher in a political millennium. Nowhere is this fact more obvious than within the domains of the British Empire. In India, in Ireland, in Egypt, and even in the Union of South Africa, the majority, enamored with the doctrines of nationalism and popular sovereignty, clamor for "self-determination" and the "inalienable right" to work out their institutional salvation. In Egypt especially there has been a long-sustained effort to rid the Lower Nile Valley of the British over-lordship which apparently ignored the nationalistic aspirations of the Egyptian people. It is with a brief account of this struggle that this article is concerned.

The story of Anglo-Egyptian relations may be conveniently dated from 1879, when France and England established "dual control" over Egypt for the purpose of protecting European creditors.[1] Three years later British troops entered Egypt to quell an anti-European movement which threatened the lives and property of foreigners and the safety of the Suez Canal. This insurrection, led by Ahmed Arabi Pasha, a man of considerable intelligence and personal magnetism, was, as Lord Cromer declared, a revolt against misgovernment.[2] In its deeper significance, however, it was an attack on the privileged position and predominant influence of foreigners. Egyptian patriots believed, and with some justification, that their country had been bled by foreign usurers, speculators, *concessionaires* and stock-jobbers.[3] To them the series of vast internal improvements undertaken during the incumbency of Khedive Ishmail Pasha merely afforded to British

[1] Lord Cromer, Modern Egypt, vol. i, chap. x.

[2] *Ibid.*, pp. 323—330.

[3] Sidney Low, Egypt in Transition, p. 254; John Morley, The Life of William Ewart Gladstone, vol. iii, pp. 73, 81.

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and French capitalists the opportunity for investment.[1] In the increased employment of foreigners to commanding positions in the government they professed to see the ultimate destruction of Egyptian statehood. Not unnaturally, therefore, these patriots, loathing "foreignism" and inspired by nationalistic ideals, rallied to the cry of "Egypt for Egyptians", but their revolt against the existing order was summarily crushed and Arabi and his military cohorts were banished from the land.

When Great Britain intervened in Egypt, the British government officially announced that its sole purpose was to "restore the power of the khedive". Indeed, on August 10, more than a month before the rout of the Nationalists, Mr. Gladstone said during a debate in the House of Commons:

> I can go so far as to answer the honorable gentleman when he asks me whether we contemplate an indefinite occupation of Egypt. Undoubtedly of all things in the world, that is the thing we are not going to do. It would be absolutely at variance with all the principles of Her Majesty's government and the pledges we have given Europe and with the views I may say, of Europe itself.[2]

Immediate withdrawal was impossible, for without assistance the khedive seemed powerless to maintain order or to undertake the reforms so urgently needed to cure the existing economic and political ills, and British authorities argued, therefore, that the army of occupation should remain long enough to "reestablish on a firm basis the authority of the khedive and to make provision for the future well-being of all classes of the Egyptian people".[3] It was with this understanding that Lord Granville in a note to the Powers under date of January 3, 1883, in referring to the presence of the British army in Egypt, declared that "Her Majesty's government is desirous of withdrawing it as soon as the state of the country and the organization

[1] J. Seymour Keay, Spoiling the Egyptians, A Tale of Shame. See also speech of Mr. O'Donnell before House of Commons, August 10, 1882; Hansard's Parliamentary Debates, 3rd series, 1882, vol. 273, pp. 1397–1400.

[2] Reply of Mr. Gladstone to Lord Elcho and Sir H. Drummond Wolfe, Hansard, *op. cit.*, 3rd series, 1882, vol. 273, p. 1384 *et seq.*

[3] *Ibid.*

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of the proper means for the maintenance of the khedive's authority will admit of it".[1]

This statement of policy was emphasized and elaborated by Mr. Gladstone when on August 9, 1883, he asserted in the House of Commons that the government was opposed to permanent occupation or annexation:

> We are against everything that resembles it and approaches it, and against all language that tends to bring about an expectation of it. We are against it on the ground of the interest of England; we are against it on the ground of the specific and solemn pledges given to the world in the most solemn manner and under the most critical circumstances—pledges which have earned for us the confidence of Europe at large during the course of difficult and delicate operations, and which, if one pledge can be more sacred than another, special sacredness in this case binds us to fulfil.[2]

For thirty years following this statement the Egyptian people were given similar assurances by official Britain: Lord Dufferin, Sir Charles Dilke, Lord Derby, Lord Salisbury, Lord Cromer, Sir Edward Grey and Sir Eldon Gorst emphatically declared that Great Britain had no intention of remaining in Egypt and, above all else, would never proclaim a protectorate.[3] It was for this reason that Lord Dufferin vigorously opposed holding the Egyptian people "in any irritating tutelage"; rather he preferred that "they should lead their own lives and administer their own government unimpeded by any external anxieties and preoccupations".[4] On the other hand it was just as vigorously maintained that the Egyptians unaided could not work out their salvation; that they must first be schooled in the elements of self-government before they could enjoy the blessings of national independence. In other words Egypt must be "re-created" and made fit for Egyptians. Great Britain, it was contended, should remain as the Egyptian schoolmaster until

[1] British Parliamentary Papers, 1883, Egypt, vol. c, no. 40, pp. 32–36.

[2] Hansard's Parliamentary Debates, 3rd series, 1882, vol. 282, pp. 2196–2203.

[3] See their official utterances in British Parliamentary Debates.

[4] *Cf.* M. M. Rifat, Damaging Evidence Against English Hypocrisy. Quoted by N. D. Harris, Intervention and Colonization in Africa, p. 322.

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there had been "established on sure foundations the principles of justice, liberty and public happiness".[1]

Acting upon this assumption the British government sent Lord Dufferin to Egypt in September, 1882, for the purpose of drafting a practical and comprehensive plan for the reorganization of Egypt. His report[2] submitted February 6, 1883, became the basis of the Organic Law constituting the new government; by it Egypt theoretically remained an autonomous province of the Ottoman Empire ruled by the khedive, who recognized the suzerainty of the sultan and paid annual tribute to him. The Turkish flag was still to float over Cairo and relations between Egypt and other nations were to be established by treaties with Turkey. In matters spiritual the khedive also acknowledged the overlordship of Constantinople; consuls-general in Cairo exercising diplomatic functions and consuls and consular agents in other cities supervised the interests of foreigners; consular courts and mixed tribunals of foreign and Egyptian judges administered justice. By virtue of international agreements known as "capitulations", consuls of European and American states enjoyed the right of jurisdiction over all cases in which their own nationals were concerned. With the above exceptions, all authority was nominally centered in three representative bodies, an Egyptian council of ministers headed by a premier and two assemblies. A legislative council of thirty members, sixteen of whom were elected by provincial assemblies and fourteen nominated by the khedive, was intended to be a small, select and highly organized body to assist the ministers in the elaboration of measures and to act as a check on unsuitable and oppressive legislation; in membership it was supposed to contain a certain number of distinguished men of experience and high social status as well as a representative element of Coptic Christians. All laws and decrees involving administrative changes were to be submitted to the council before being actually approved. The council could

[1] British Parliamentary Papers, 1883, Egypt, vol. c, p. 87.

[2] *Ibid.*, pp. 87–130. For interesting comment on this report see also Cromer, *op. cit.*, vol. i, pp. 341–345; Sir Auckland Colvin, The Making of Modern Egypt, pp. 26–37.

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make suggestions regarding internal legislation and the administrative action of the government; it could ask the ministry to consider and reply to any petitions forwarded through it; it could criticize and make suggestions on the budget and departmental expenditures; it could seek explanations or information from the ministers on any point or subject about which it might desire to be informed; it, however, enjoyed neither power to initiate nor authority to veto measures. This council together with the six cabinet ministers and forty-six elective deputies (notables)—two chosen by each provincial assembly and two by each town government—constituted a general or national assembly which had to be summoned at least once every two years; it was intended to be a more democratic body with power to discuss questions affecting the interests of the whole country. It possessed the same privilege of discussion, criticism and suggestion as the legislative council. New taxes, either real or personal, could not be imposed without its consent. In reality both the council and the assembly were advisory to the khedive and his ministers. A slight degree of home rule was accorded the provinces, each of which had an assembly chosen by a method of indirect election.

For the purpose of furnishing "sympathetic advice and assistance" and of insuring stability and efficiency in the new government, provision was made for "European advisers" in every branch of the administration. To all intents and purposes these advisers were extra-legal officials subject to the control of and responsible to the British consul-general at Cairo. It was with this political machinery that Sir Evelyn Baring, afterwards Lord Cromer, assumed the duties of British consul-general of Egypt in 1883.[1] How well he succeeded in bringing order and prosperity out of anarchy, poverty and oppression has been tersely summarized by a well-known contemporary:

> Twenty years after the British entered Egypt, Lord Cromer was able to write that the institution of slavery was virtually defunct; the *corvée* (forced labor) practically abolished; the *courbash* (whip) no longer

[1] Cromer, *op. cit.*, vol. i, p. 345.

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employed as an instrument of government; the army efficient and well organized, and the abuses under the old recruiting system swept away; new prisons and reformatories built and the treatment of prisoners in conformity with principles generally adopted in Europe; the sick nursed in well-equipped and well-managed hospitals; lunatics no longer treated like wild beasts; means provided for allowing peasants to free themselves from the grip of money-lenders; a very great impulse given to education in all its branches; the Assuan dam opened, which would provide one-third of the agricultural area of Upper Egypt with perennial irrigation; modern railways running from one end of the country to the other; more than one hundred million dollars spent on railways and other public works, all saved out of the resources of Egypt, without recourse to foreign capital or increase of the public debt; cotton-raising developed so as to make Egypt one of the first producers of the world; Alexandria and Cairo transformed into great cities of the European type; Alexandria and Port Said developed into ports and coaling stations of mondial importance; and the Suez canal made secure as the waterway of four continents. The Egyptian treasury contained an accumulated surplus of thirty million dollars which was increasing annually by nearly three million dollars.[1]

Yet in spite of this record of miraculous achievement in the field of things material not all the Egyptian people were happy. Whether of Arabic, Turkish, Coptic, Syrian, or Armenian origin they were suspicious of British motives and unrestful under alien tutelage. A new generation, many of whom had been educated in missionary colleges and in European and American universities, found only partial satisfaction in the abolition of the old régime of despotism and corruption. Inspired by the modern ideals of liberty, nationality and popular government they looked forward to the day of national independence.[2] It was this nationalistic spirit that prompted the great journalistic campaign in the native press against British supremacy. Ali Yusef and Mustapha Kamel and men of their type were openly hostile in their criticism, and while often relying on scathing denunciation rather than on argument they

[1] H. A. Gibbons, The New Map of Africa, pp. 397–398. See also interesting summary by J. S. Willmore, The Welfare of Egypt.

[2] Cromer, *op. cit.*, vol. ii, chap. xxxvii, especially pp. 243–244; Sir Valentine Chirol, The Egyptian Problem, pp. 150–151; Low, *op. cit.*, pp. 290–294.

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never tired in their opposition to British occupation and British officialdom.[1] Again it was this same spirit which manifested itself in the unhappy Denshawi incident[2] which has never been forgiven or forgotten by the fellaheen and which at the time was denounced by the nationalists as "British barbarism".[3] Even Lord Cromer was not unaware of this new "politically-minded" Egypt, for in his last report penned from Cairo he expressed the hope that the work which he had accomplished would have the support of the moderate nationalist group whose program should involve "not opposition to, but cooperation with Europeans in the introduction of Western civilization into their country".[4]

The increasing impatience and disaffection of the nationalists was not allayed by the reiteration of Sir Eldon Gorst, successor to Lord Cromer, that the aim of British occupation was not to rule the Egyptians but to teach them to govern themselves.[5] As long as Egyptians were denied all opportunity to exercise real responsibility and real authority such declarations were to them mere expressions of imperial hypocrisy. During Lord Cromer's régime the door of self-government had been closed, for under his supervision there had gradually developed two separate governing agencies: one the khedive and his advisory bodies, the other the consul-general together with the advisers to the various ministries and any of the other higher British officials whom the consul-general might desire to consult. This latter body, informal in character, kept no record of its proceedings or decisions; in theory it could issue only administrative orders but in practice it was all-powerful, being responsible to the British Foreign Office alone. By this body all important administrative questions were determined; Egyptian officials were not in attendance and were not expected to be

[1] Gibbons, *op. cit.*, pp 402–404.

[2] Chirol, *op. cit.*, p. 93; A. E. P. B. Weigall, A History of Events in Egypt from 1798 to 1914, p. 203.

[3] Weigall, *op. cit.*, p. 204.

[4] British Parliamentary Papers, 1907, Egypt, vol. c, pp. 620–645. *Cf.* Cromer, *op. cit.*, vol ii, pp. 569–570.

[5] British Parliamentary Papers, 1908, Egypt, vol. cxxv, p. 185.

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and their opinions, even though known, were given only secondary consideration. Decisions by the conference when transmitted to the council of ministers were nominally advisory but were actually orders to be executed by a subservient Egyptian officialdom. Under such a system bureaucracy rather than self-government was ultimately bound to develop.

British control over local affairs was slightly relaxed when in June, 1908, a number of reforms affecting the provincial councils were promulgated.[1] These included a fifty-per-cent reduction in property qualifications for those members holding higher educational certificates and also a reduction of the official element in the councils. Furthermore, the mudir (governor) was stripped of his power to frame the by-laws and to convoke the council at his pleasure. The councils were empowered to vote supplies for local improvements, to advise the government on matters relating to local public works, to sanction the modification of boundaries, changes of administrative and judicial districts, creation of local commissions and matters relating to local irrigation as well as the establishment of public markets and the fixing of the number and pay of the ghaffirs (watchmen). Still more important were the powers and duties assigned to them in educational affairs. Subject to the general control of the ministry of education they were authorized "to establish or take over schools and to give grants-in-aid". Likewise they were empowered "to appoint managing committees for schools or groups of schools and to cooperate with additional members for educational purposes". Their financial resources were assured by giving them permission to impose temporary local rates up to five per cent of the total amount of the land tax, their decision being final as to both the imposition of the tax and the purposes for which it was to be expended. This legislation failed to arrest the growing discontent.

That the nationalists were determined on nothing short of complete self-government was manifest in their vitriolic denunciation of the British during the debates on the conciliar reforms. This determination was further expressed in their

[1] British Parliamentary Papers, 1908, Egypt, vol. cxxv, pp. 186–187.

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program, which, among other things, called for the termination of British occupation, the administrative independence of Egypt under the authority of the khedive, complete representative government, educational reform, preferential employment of Egyptians in government service and extension to mixed courts of jurisdiction over all criminal cases in which foreigners were concerned.[1] It was to this end that in February, 1907, the General Assembly by unanimous resolution demanded that the government initiate legislation which would give all Egyptians opportunity for full participation in the administration of internal affairs.[2] Undismayed by the apparently unyielding attitude of the British Foreign Office and powerfully influenced by the Turkish revolution, a group of moderate nationalists on September 14, 1909, the twenty-seventh anniversary of British occupation, sent the following telegram to Mr. Asquith, British Prime Minister:

> A meeting of six thousand Egyptians assembled here today desires to convey to Your Excellency the unanimous and energetic protest of the Egyptian people against the British occupation, and demands from today the evacuation, relying upon the engagements and solemn oaths of the Queen's governments. Moreover, to gain our friendship is preferable for English honor than to lose our hearts and support.[3]

Meanwhile a question of policy had caused a serious rupture in nationalist ranks.[4] The moderates opposed the use of violence, believing such a policy to be ruinous to their cause, while the radical element would employ any means—even an appeal to religious fanaticism. It was the latter who openly condoned the assassination of Boutros Pasha, the Egyptian Premier, on February 20, 1910.[5] As a result of this split two Egyptian

[1] Mustapha Pasha Kamel, "What the National Party Wants", speech delivered at Alexandria, October 22, 1907; Wilfrid S. Blunt, "The New Egyptian Nationalism", *The Independent Review*, October, 1906, vol. xi, pp. 23–35; *cf.* Gibbons, *op. cit.*, p. 410.

[2] J. Alexander, The Truth about Egypt, pp. 89–92.

[3] British Parliamentary Debates, 1909, vol. xi, pp. 621–622.

[4] Alexander, *op. cit.*, pt. ii, chap. v; pt. iii, chap. iv.

[5] British Parliamentary Papers, 1911, Egypt, vol. ciii, pp. 241–242.

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congresses convened in Europe in 1910, one at Geneva, the other at Brussels. Both were emphatic in their demand that Britain withdraw from Egypt.[1] That Great Britain had no intention of immediate withdrawal was frankly avowed by Sir Edward Grey in a speech at Guildhall, July 21, 1910, in which he declared that in Egyptian policy "facts rather than theories" had to be considered.[2] This statement, seemingly contradictory to former pledges of British statesmen, was reaffirmed by the foreign secretary in the House of Commons on July 27, 1911.[3] By the nationalists it was interpreted as a reply to their demands and accepted as a challenge. On every hand there were intense and oftentimes violent manifestations of Anglophobia: among other things, the proposal for a forty-year extension beyond 1968 of the Suez Canal Company's concession was rejected by the National Assembly; acrimonious attacks were made on the government in connection with the budget and the Sudan, and both the Legislative Council and the General Assembly thwarted and impeded the consul-general and his British advisers whenever possible.[4]

The campaign against continued British occupation assumed such alarming proportions that Sir Eldon Gorst, the consul-general, was compelled to admit that "the policy of ruling this country in cooperation with native ministers is, at the present time, incompatible with that of encouraging the development of so-called representative institutions". Further, he was of the opinion that:

> The Egyptians have intellectually reached a stage when they should be quite capable of utilizing with advantage the facilities accorded to them for cooperating in the administration of the country. Nevertheless it cannot be denied that the recent experiment has, so far as the Legislative Council and General Assembly are concerned, proved a failure, and that the results derived from it have not been in accordance with our intentions or hopes.[5]

[1] Gibbons, *op. cit.*, p. 413.

[2] British Parliamentary Debates, 1910, 5th series, vol. xix, pp. 1587–1590.

[3] Parliamentary Debates, 5th series, 1911, vol. xxviii, pp. 1872–1875.

[4] Report of Sir Eldon Gorst, Consul-General, British Parliamentary Papers, 1911, Egypt, vol. ciii, pp. 241–242.

[5] *Ibid.*, p. 243.

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Such was the situation when in 1911 Lord Kitchener was named to succeed Sir Eldon Gorst as consul-general.[1] Lord Kitchener's reputation as a soldier who would not tolerate nonsense had a sobering effect on the Egyptian people. In his first report[2] he minimized the political disturbances: Egypt, he declared, was not "seething with disaffection". The widespread unrest which prevailed he attributed largely to "the totally unexpected action of Italy in declaring war against the Turkish Empire and proceeding to invade Tripoli and Cyrenaica". But "notwithstanding the mischievous efforts of some of the more irresponsible native newspapers, the people of Egypt . . . displayed the most praiseworthy self-restraint. . . . Egypt was declared neutral, and that neutrality has been strictly maintained by Egyptians who have thus shown an admirable devotion to duty, law and order, in spite of the intensely sympathetic and religious feelings raised by the long struggle which has been going on so close to their frontier". In his second report, submitted March 22, 1913, the consul-general mentioned the Balkan wars as the occasion of the continued Egyptian unrest, again declaring that politically Egypt was undisturbed.[3] In this latter respect Lord Kitchener undoubtedly was deceived, for, as subsequent events proved, the political serenity was more apparent than real.

Taking advantage of this period of seeming political tranquility, the government promulgated notable constitutional reforms in 1913.[4] Under the Organic Law of 1883 the Legislative Council and the General Assembly did not legislate nor did they control the executive; their function was limited in large measure to criticism, discussion and suggestion. Then too it was alleged that the selection of these bodies was in many ways defective.[5] The election of members of the provincial councils to the legislative council, for instance, proved to be

[1] Parliamentary Debates, 5th series, 1911, vol. xxviii, p. 855.

[2] Report of Viscount Kitchener, Consul General, British Parliamentary Papers, 1912–13, Egypt, cxxi, pp. 635–705.

[3] *Ibid.*, 1913, Egypt, vol. lxxxi, p. 207.

[4] British Parliamentary Papers, 1914, Egypt, vol. ci, pp. 330 *et seq.*

[4] *Ibid.*, p. 333.

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neither logical nor adaptable. These bodies were created for different purposes and, as was often the case, a man who might be wisely chosen for provincial councillor because of his social standing and knowledge of local conditions, was of little value in assisting the government in its general legislative program. On the other hand, a man whose opinion on provincial matters might be of little account was not infrequently able to render valuable assistance to the government. It was to remedy these defects and to give the Egyptians a larger measure of power and control that the reforms were undertaken.

Under the new Organic Law of 1913 the provincial councils were left unchanged but were separated entirely from the Legislative Assembly, the new body formed by the merging of the old Legislative Council and the General Assembly. Sixty-six of the eighty-nine members of the new legislative body were elected by indirect suffrage, seventeen were nominated by the government solely for the purpose of representing minority groups and interests which otherwise would be unrepresented,[2] and the six cabinet members retained seats as *ex-officio* members.

Like its predecessors, the new Legislative Assembly was essentially a consultative and deliberative body. It differed from them in that it enjoyed new and increased opportunities of influencing legislation. It could, for instance, initiate legislation on its own responsibility; through a new procedure involving private conference and public discussion it could delay legislation; and it could compel the government to justify its action in case any legislation were promulgated which had met with the disapproval of the Assembly. Even though it could elicit information and was at liberty to express its opinions on all matters of administrative policy, it had practically no power over the executive. It had no control over the ministers and for persistent opposition to them it could be dissolved. In other words, the British consul-general remained the real ruler of Egypt. In his last report from Cairo in 1913, Lord Kitch-

[2] These include Copts, 4 representatives; Bedoins, 3; merchants, 2; doctors, 2; engineers, 1.

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ener declared that the Organic Law of 1913 constituted a "very considerable extension in the representative principle". Whether the experiment would be successful or not depended, he thought, upon the spirit in which the reforms were carried out. If the new Assembly cooperated "loyally and earnestly with the government for the good of the people of Egypt", the reforms would mark an important step along the path of true progress. "If, on the other hand, outside influence and foolish counsels prevail and the Assembly indulges in unjustified hostility, unseemly bickering and futile attempts to extend its own personal importance . . . not only will it inevitably destroy itself, but it will convince all reasonable men that this country for the present is not fitted for those representative institutions which are now on their trial in Egypt".[1]

It was evident as soon as the newly elected Legislative Assembly convened that it was intensely nationalistic. The majority of its members were respectable landowners personally known to the voters. In Saad Pasha Zaghlul, who formerly had held the portfolios of education and justice and who had won the respect and praise of Lord Cromer,[2] it had an able leader. Throughout its entire session it showed little inclination to cooperate with the government and at every opportunity expressed its bitter opposition to British domination and control.

At this point the Great War broke out. Of course Egypt legally was still a part of the Turkish Empire and the sultan, under the existing treaties, had the right to demand Egyptian troops should he need them. In 1768 he had called upon Egypt for assistance in his struggle against Russia;[3] during the Greek War of Independence his Egyptian vassal had been obliged to furnish an army;[4] and in the Crimean War Egyptian soldiers had battled for the Turks.[5] In her later struggles,

[1] British Parliamentary Papers, 1914, Egypt, vol. ci, pp. 333–334.

[2] Cromer, *op. cit.*, vol. ii, p. 535. *Cf.* N. D. Harris, Intervention and Colonization in Africa, p. 328. *Cf.* Lord Cromer's last report from Egypt, British Parliamentary Papers, 1907, Egypt, vol. c, p. 625.

[3] Weigall, *op. cit.*, p. 272.

[4] George Finlay, A History of Greece, vol. vi, pp. 354–361.

[5] Weigall, *op. cit.*, 272.

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notably the Tripolitan and Balkan wars, the Porte had been persuaded not to ask for Egyptian aid; by refraining from such a request Turkey saved Great Britain from what might have been an embarrassing position, but she did not, however, in any way invalidate her legal right. When war was declared between England and Germany on August 4, 1914, it was apparent that Germany would employ every means to destroy British control in Egypt. Even before the outbreak of hostilities it was obvious that the Germans in Egypt were bending every effort to antagonize the British administration in that country. Inasmuch as Egypt was by oft-repeated definition an integral part of the Turkish Empire, Great Britain was powerless to take any legal action.

To meet the situation the British authorities boldly "persuaded" the Egyptian government to regard itself as in a state of war with the Teutonic powers. Accordingly on August 6 the Egyptian Prime Minister, Hussein Rushdi Pasha, on the ground that "the presence of the British army of occupation in Egypt renders the country liable to attack by the enemies of His Britannic Majesty", published a "Decision of the Council of Ministers" which practically amounted to a declaration of war.[1] Expedient and justifiable though this act may have been, it was beyond doubt illegal; for in accordance with the terms of the Turco-Egyptian treaty, Egypt as a vassal state could not declare war and its political relations with other states could be conducted only through the Turkish sovereign.[2] It really constituted an enforced act of rebellion on the part of Egypt for it obviously implied a definite repudiation of the suzerainty of the Sultan. No statement was made at this time by England that the Sultan's authority in Egypt had ceased to be recognized, nevertheless to all intents and purposes Egypt was henceforth completely independent of the Porte. This fact was strikingly apparent when three months after the outbreak of hostilities in Europe war was declared between England and

[1] The Annual Register, 1914, new series, Egypt and the Sudan, p. 434; L'Egypte Contemporaine, 1915, vol. vi, pp. 324–325.

[2] Sir Edward Hertslet, The Map of Europe by Treaty, vol. iv, pp. 3074–3076; J. H. R. Marriott, The Eastern Question, pp. 218–219.

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Turkey.[1] Technically Great Britain was at war with Egypt, for by treaty that country was still a part of the Ottoman domain and Egyptian forces a part of the Turkish army. Treaty stipulations were, however, entirely ignored and war measures directed against the Germans were extended to the Turks.

During these turbulent days Abbas Hilmi Pasha, the khedive, was in Constantinople. Pro-Turk and pro-German in sympathy, he hated the English and desired to get rid of them. It was this desire to free himself not only from the "British intruders" but from all restraint, that led him, prior to the outbreak of the war, to champion the nationalist movement. Selfish, overbearing and irresponsible, he soon proved a dangerous liability to the popular cause, so much so that by 1914 he was despised by the majority of his own subjects. It was to him that the British attributed in part their Egyptian difficulties:

> A Turk at heart, imbued with the contempt so common amongst all Turco-Egyptians for the fellaheen . . . he contrived to rob Egyptian nationalism of its best elements by instilling into it an anti-foreign and more specifically anti-British virus. Brought up in Vienna to despise parliamentary institutions and to believe in the divine right of kings and khedives, he succeeded in perverting the immature representative bodies we had called into existence in Egypt, and lest they should grow to be a check upon his own arbitrary tendencies, he incited them to waste their nascent energies on vain denunciation of the British controlling power that alone stood between them and the revival of the old methods of khedival misrule from which Egypt had been rescued by British intervention.[2]

In casting his fortunes with the Central Powers Abbas Hilmi gave Great Britain opportunity to sever the formal ties which still united Egypt to the Ottoman Empire. The proclamation of martial law and the establishment of a very strict censorship early in November, 1914, were forerunners of this inevitable break; the bonds were completely severed on December 18 by issuance of a proclamation to the effect that "Egypt is placed under the protection of His Majesty and will henceforth con-

[1] British Parliamentary Debates, 1919, 5th series, House of Lords, vol. 37, p. 342.

[2] Chirol, *op. cit.*, pp. 118–119.

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stitute a British Protectorate".[1] On the following day another proclamation[2] announced that "in view of the action of His Highness Abbas Hilmi Pasha, lately Khedive of Egypt, who has adhered to the King's enemies, His Majesty's government have seen fit to depose him from the Khedivate; and that high dignity has been offered, with the title of Sultan of Egypt, to His Highness Prince Hussein Kamel Pasha, eldest living prince of the family of Mohammed Alî, and has been accepted by him". Thus Egypt after nearly four hundred years ceased to be even nominally a part of the crumbling Ottoman Empire, and the veiled protectorate which Britain had exercised for over thirty years became a protectorate in name as well as in fact. It is difficult to see precisely what ultimate advantage accrued to Great Britain by this change. It is true that her anomalous and questionable position in Egypt was "regularized" but only by violating the reciprocal arrangement with the Entente Powers that no territorial changes should be made before the end of the war and then only by common agreement. Some British authorities go so far as to point out that it was possible for England to establish a protectorate only after she had gained the acquiescence of France and Russia by promising Syria to the former and possession of Constantinople and the Straits to the latter.[3]

At the time many influential individuals in British official circles advocated the formal annexation of Egypt to the British Empire.[4] In discussing this proposal Lord Curzon declared that "the opportunity of incorporating Egypt in the Empire was deliberately and in his opinion wisely rejected, because it was intended in the wide latitude which the formula of a protectorate affords to give free scope to the political aspirations and self-governing capacities of the Egyptian people".[5] In view of this reaffirmation of Britain's object in Egypt it appears rather strange that in neither of the proclamations of December

[1] Annual Register, 1914, new series, Egypt and the Sudan, p. 435.

[2] *Ibid.*, pp. 435–37.

[3] Chirol, *op. cit.*, p. 124 *et seq.*

[4] British Parliamentary Debates, 1919, 5th series, House of Lords, vol. 37, p. 342.

[5] *Ibid.*

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18 and 19 was there any intimation of such a purpose;[1] nor was such a purpose clearly stated in the lengthy note subsequently addressed by the British authorities to the new sultan, Hussein Kamel Pasha.[2] After enumerating the reasons for proclaiming the protectorate, this document declared that the British government would henceforth regard itself as trustee for the Egyptian people. As such it promised to defend Egyptian territory "against all aggression whencesoever coming" and to protect Egyptian subjects "wherever they may be". All relations between the Egyptian government and foreign powers would be conducted through the British representative at Cairo as High Commissioner. The Capitulations were condemned as "no longer in harmony with the development of the country", but their revision was to be postponed until the war had terminated. Only in the paragraph dealing with internal administration was there any allusion which would warrant Lord Curzon's statement. The paragraph follows:

> It has been the aim of His Majesty's government, while working through and in the closest association with the constituted Egyptian authorities, to secure individual liberty, to promote the spread of education, to further the development of the natural resources of the country, and, in such measure as the degree of enlightenment of public opinion may permit, to associate the governed in the task of government. Not only is it the intention of His Majesty's government to remain faithful to such policy, but they are convinced that the clearer definition of Great Britain's position in the country will accelerate progress towards self-government.

Although the note concluded with the assurance that "the religious convictions of Egyptian subjects will be scrupulously respected" it did not allay the apprehensions of the Egyptian people. In respect of the protectorate they had neither been warned nor consulted and, not unnaturally, therefore, their suspicion of British motives was strengthened and intensified.

Following the despatch of this note Great Britain appears to

[1] Lord Curzon declared it was not the time to discuss such a question. *Ibid.*

[2] This document is quoted in full by Baron de Kusel (Bey), An Englishman's Recollections of Egypt, pp. 320–323.

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have made no effort either to bring the Egyptian people into closer communion with England or to reconcile them in their new relationship with the Empire; indeed during the period of the war and for some months thereafter the British government pursued a policy the tendency of which was quite the reverse.[1] It declined the offer of Egyptian cooperation at the beginning of the war and, by so doing, thwarted the spirit of good will and voluntary sacrifice. Despite its promise to take upon itself the sole burden of the war "without calling upon the Egyptian people for aid therein", England repeatedly imposed heavy burdens upon them. During the war the legislative bodies, created to give limited opportunities of constitutional expression to Egyptian public opinion, were not allowed to assemble; nor were these bodies permitted any part in shaping the many measures actually taken by the Egyptian government in its furtherance of the war. Throughout the land the censorship of news and opinions was rigorously and unintelligently enforced. Before the war was two years old martial law had completely overshadowed civil authority; requisitioning of supplies and forced recruiting of labor alienated the agricultural masses which had hitherto been loyal.

In pursuing such a policy the British government either consciously or unconsciously swelled the ranks of the nationalists. Buoyed up by the utterances of the allied statesmen, especially by those of President Wilson, Mr. Asquith and Mr. Lloyd George, regarding the right of small nations to self-determination, they raised the cry of "complete independence". Two days after the armistice had been signed they formally demanded the abolition of the protectorate and recognition of the complete independence of Egypt.[2] In answer the British High Commissioner, Sir Reginald Wingate, stated that he was unacquainted with the intentions of his government in regard to the future of Egypt.[3] Anticipating this reply the Egyptian

[1] For an excellent statement of this policy see speech of Capt. Wedgwood Benn in House of Commons, May 15, 1919, British Parliamentary Debates, 1919, 5th series, vol. 115, pp. 1830–1843, 1851–1857.

[2] British Parliamentary Debates, 1919, 5th series, House of Lords, vol. 33, p. 711.

[3] Chirol, *op. cit.*, p. 143.

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prime minister, Rushdi Pasha, asked that Egyptian representatives be permitted to proceed to London to discuss the status of Egypt with the British government; his request was flatly refused, whereupon he resigned.[1] Undaunted, Saad Pasha Zaghlul next appealed to Mr. Lloyd George, M. Clemenceau, M. Orlando and President Wilson, adjuring them to apply to Egypt the lofty principles they had proclaimed in defining their war aims—but to no avail.[2]

Despite the efforts of the military authorities to prevent it, the Egyptian leaders elected a national delegation to the Peace Conference; as soon as the Conference assembled this delegation proceeded to send to all the plenipotentiaries an exhaustive memorandum setting forth the program of the party of independence.[3] Among other things it pointed with pride to the progress of the Egyptian people during the days of Mehemet Ali and his successors; it lauded the English for the good accomplished during the occupation, but at the same time stressed Britain's oft-repeated assurance that her stay was merely temporary, emphasizing the detrimental effects of continued alien tutelage upon the moral and intellectual development of the nation; it enumerated in considerable detail the splendid services which Egypt had rendered to the Allies during the war, and denounced the protectorate as an illegal and unjustified war measure proclaimed without the consent or approval of the Egyptian people; recognition and complete independence for Egypt were demanded together with full sovereignty over the Sudan. The program guaranteed to fulfil Egypt's financial obligations and promised to safeguard the rights enjoyed by foreign communities settled in the country. In conclusion a bitter protest was registered against the arbitrary refusal of the British authorities to permit the Egyptian delegation to proceed to Paris as the representatives of the Egyptian people.

The refusal to grant passports to representatives who would confer personally with the British government, or to permit

[1] British Parliamentary Debates, 1919, 5th series, vol. 115, pp. 1832–1833; Egyptian White Book, p. 3.

[2] Egyptian White Book, pp. 26, 46, 66.

[3] *Ibid.*, pp. 9–11.

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the Egyptian delegation to proceed to Paris roused all Egypt to fever heat. Fresh fuel was added when it became known that a report on proposed constitutional reforms, drawn up by Sir William Brunyate, the Egyptian judicial adviser, completely ignored the national aspirations of the populace. Throughout the country local committees were formed, public meetings held and a campaign waged for "freedom". On every hand there were indications that the people were determined and that the situation was serious.[1] Unwisely the British government refused to concede this fact; apparently it looked upon the nationalist movement as a shallow affair headed by a small group of discontented politicians. The climax came when on March 6, 1918, Saad Pasha Zaghlul and nine of his associates were summoned before the military officials and warned not to take action which might incite disorder or hinder or embarrass the work of the authorities.[2] The news of this interview quickly circulated and on the following day the delegation issued a mild protest which the authorities at once interpreted as a flagrant defiance of the warning. Accordingly on November 8 Saad Pasha Zaghlul, Mohammed Pasha Mahmond, Ismail Pasha Sidki and Hamid Pasha el Bassal, the four most prominent members of the delegation chosen to represent Egypt at Paris, were arrested and secretly hurried from their homes to the Kass-el-Nil barracks; the next morning they were hustled out of Egypt and lodged in jail on the island of Malta. Within a few days all Egypt was in revolt.[3]

It is unnecessary to describe in detail the course of the furious rebellion which raged throughout the month of March and even into April. The British authorities, realizing at last that the disturbance was not merely a surface ripple, to be quelled by intimidation and deportation, but a deep-rooted national upheaval, rushed General Allenby, "the strong man of

[1] Chirol, *op. cit.*, p. 145 *et seq.* British Parliamentary Debates, 1919, 5th series, House of Lords, vol. 34, p. 678.

[2] *Ibid.*, vol. 33, pp. 711–712.

[3] British Parliamentary Debates, 1919, House of Commons, vol. 115, p. 1833. The Annual Register, 1919, new series, Egypt, p. 273.

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the East", to Egypt on March 22.[1] As Special High Commissioner he was directed "to exercise supreme authority in all matters military and civil, to take all such measures as he considers necessary and expedient to restore law and order, and to administrate in all matters as required by the necessity of maintaining the King's Protectorate over Egypt on a secure and equitable basis".[2] When he reached Cairo on March 25 he found the storm had abated somewhat but in its path there followed an epidemic of strikes; active rebellion was succeeded by passive rebellion; railway and tramway workers, the Cairo scavengers and the road sprinklers were more or less continuously on strike; school children and university students alike went on "patriotic" strikes; barristers and judges on strike paralyzed the courts; even the Egyptian government officials, as a manifestation of sympathy for their imprisoned delegates, absented themselves from their offices. Although martial law was rigorously continued, General Allenby at once took steps to relieve the situation. In conference with a number of Egyptian notables he stated his threefold mission:[3] first to restore order, secondly to inquire into the causes of discontent and thirdly to redress justifiable grievances. At the same time he appealed for aid and cooperation in calming the "passions now let loose". This was followed by a written appeal signed by fifty influential Egyptians exhorting the Egyptian people once more to become peaceful and orderly.[4] Most important of all, the High Commissioner, apparently fully convinced that by one measure only could tranquility and peace be restored, announced in a proclamation on April 7, 1919, that all restrictions on freedom of travel had been removed and that the four deportees imprisoned in Malta would be "released from internment and given similar freedom of movement".[5] The effect of this news was instantaneous; from Cairo to the Sudan

[1] British Parliamentary Debates, 1919, 5th series, vol. 114, p. 16.

[2] *Ibid.*, House of Lords, vol. 34, p. 675.

[3] London *Times*, April 11, 1919.

[4] *Ibid.*

[5] British Parliamentary Debates, 5th series, vol. 34, pp. 675–676.

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it was hailed as a great national triumph, and riot and sorrow gave way to joy and thanksgiving.

These happy demonstrations proved to be only temporary, for within two days strikes and riots were again prevalent, especially in Cairo. It is true the government had been reorganized, but no sooner had the prime minister, Rushdi Pasha, resumed office on April 9 than he was presented with an ultimatum by the striking government officials[1] in which they demanded not only that the cabinet should officially recognize the Egyptian delegation as the legal mandatory of the nation, but that it should refuse to recognize the protectorate. They further demanded the withdrawal of British sentries and guards, whose places should be filled by Egyptian troops. After repeated appeals, warnings and parleys, all barren of result, Rushdi Pasha, utterly discouraged, resigned on April 21.[2] The following day General Allenby issued a proclamation[3] ordering the striking officials, under threat of dismissal, to return to their posts and they sullenly obeyed; the other strikes were outwardly crushed by the strong arm of martial law. But the spirit of nationalism and independence still survived and the rank and file were more determined than ever to destroy the protectorate and emancipate Egypt from the tutelage of foreign "usurpers".

In forcing the resignation of the Rushdi Pasha ministry the party of independence had in large measure discredited the whole theory of British control. For more than thirty years Egypt had been governed nominally by Egyptians with the assistance of English advisers; practically it had been ruled by a British bureaucracy headed by a consul-general or a high commissioner. From the time of Lord Cromer this bureaucracy gradually deteriorated until it was entirely out of touch with and unsympathetic toward the Egyptian people. Under such a system, where practically all public opinion was smothered, well might the Egyptians complain that Britain had failed in its

[1] Chirol, *op. cit.*, p. 199 *et seq.*

[2] British Parliamentary Debates, 1919, 5th series, House of Lords, vol. 37, p. 339; see also vol. 34, p. 676.

[3] *Ibid.*, vol. 34, p. 675.

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task of training Egyptians to govern themselves; that the constantly decreasing number of Egyptians in the public service "were treated more and more as inferiors and not as collaborators", and that "the British official world had steadily cut itself off from any intimate contact with Egyptians save with those who were prepared to have no opinions of their own".[1] The time had now come when an irresponsible bureaucracy could prevail no longer. Four weeks after the resignation of the Rushdi Pasha cabinet, General Allenby after much effort succeeded in inducing Mohamed Said Pasha to form a new ministry[2]; this survived for eight months but was powerless to stem the on-rushing tide of nationalism. British control had at last broken down.

The British government reluctantly admitted this fact when on May 15, 1919, it informed Parliament that "a strong mission", headed by Lord Milner, would be sent to Egypt to inquire into the causes of the discontent and insurrection and to make such recommendations as would assist the British government in properly protecting foreign interests and in "shaping for the protectorate a system of prudent and ever-enlarging enfranchisement" and in meeting the "claims of the Egyptian people to a due and increasing share in the management of the affairs of Egypt".[3] This mission, composed of Sir John Maxwell, who had seen military service in Egypt; Sir Runnel Rodd who had served under Lord Cromer; General Sir Owen Thomas, a British Laborite; Mr. J. A. Spender, editor of the *Westminster Gazette* and a Liberal, and Mr. C. J. B. Hurst, a legal adviser of the Foreign Office, did not arrive in Egypt until December 7, 1919. Meanwhile Egypt had drifted back into a state of insurrection, and strikes and outbreaks were of frequent occurrence.[4] The general situation was not improved by General Allenby when on November 12, in formally announcing

[1] Chirol, *op. cit.*, p. 215.

[2] British Parliamentary Debates, 1919, 5th series, vol. 116, pp. 1203–1204.

[3] British Parliamentary Debates, 1919, 5th series, vol. 115, pp. 1888–1889. See also Lord Curzon's statement in House of Lords, *ibid.*, vol. 37, p. 341.

[4] British Parliamentary Debates, 1919, 5th series, House of Lords, vol. 37, pp. 337–338.

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the appointment of the Milner Commission,[1] he explicitly stated that it would be the policy of Great Britain in Egypt "to preserve autonomy in that country under British protection, and to develop the system of self-government under an Egyptian ruler". He added that "it would not be the function of the Mission to impose a constitution on Egypt", rather its duty would be "to explore the ground; to discuss, in consultation with the authorities on the spot, the reforms that are necessary, and to propose, it is hoped in complete agreement with the Sultan and his ministers, a scheme of government which can subsequently be put into force". Disappointing as this statement of policy was to the nationalists, its effect was mild in comparison with that of the blunt statements made by British statesmen; for instance, Mr. Balfour declared in the House of Commons on November 17, 1919, that "British supremacy exists in Egypt, British supremacy is going to be maintained, and let nobody either in Egypt or out of Egypt make any mistake upon that cardinal principle of His Majesty's government".[2]

To the Egyptians, therefore, the Milner Mission was simply an instrument designed to plan ways and means for bolstering up the British Protectorate and, in so far as they could comprehend, there was not the slightest indication that it would favor Egyptian independence. As soon as this was realized by the nationalist leaders they resolved to have nothing to do with the Mission, and even before its arrival they had persuaded the Egyptian people to boycott it collectively and individually. For three months, covering the entire stay of the commission in Egypt, the boycott was so systematically and rigidly enforced that the Mission found itself heckled and hampered in every possible way.[3] Under these circumstances it was obliged to obtain its information largely from observation, from British officials and the British unofficial communities, and records of the public departments.

[1] London *Times*, November 21, 1919.

[2] British Parliamentary Debates, 1919, 5th series, vol. 121, p. 771. See also speech delivered by Lord Curzon in House of Lords, *ibid.*, House of Lords, vol. 34, pp. 674-680, especially last paragraph.

[3] Chirol, *op. cit.*, p. 263.

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Fortunately, upon the return of the Mission to England, Saad Zaghlul Pasha and his associates who had been barred from the Peace Conference[1] were invited to London to confer with Lord Milner and his colleagues.[2] With the acceptance of the invitation Anglo-Egyptian relations entered a new phase and the first step was taken in the direction of an intelligent settlement of the Egyptian problem. As a result of unofficial though friendly and oftentimes intimate conversations during July and August, 1920, many misunderstandings and misapprehensions were cleared up and the Mission secured valuable and much needed aid which it had failed to obtain in Egypt. In this connection Lord Milner declared in the House of Lords early in November that the Mission had discovered that it held many erroneous conceptions regarding the aims and spirit of Egyptian nationalism; he was fully convinced, he said, that while there was undoubtedly an element in Egypt which was anti-British, the best and strongest element was not anti-British but pro-Egyptian.[3] At this time both he and Lord Curzon pointed out that while the Mission had not yet made its report to the government, it would embody recommendations already agreed upon and which, in so far as possible, would meet the aspirations of the majority of the Egyptian people.[4] These recommendations may be summarized as follows:[5]

1. The protectorate will be abolished and Great Britain will recognize the independence and guarantee the integrity of Egypt against external aggression. In return Egypt will recognize Great Britain's privileged position in the valley of the Nile and will agree in case of war to grant her every facility and access to Egyptian territory.

2. The army of occupation will be withdrawn, but Great Britain will maintain a garrison (2,000–3000 men) in Egypt in the canal zone.

[1] Not only were the Egyptian delegates barred from the Peace Conference, but the British protetoratec over Egypt was incorporated in the Treaty of Versailles. See Section IV, Article 147.

[2] London *Times*, November 12, 1920.

[3] *Ibid.*

[4] *Ibid.*

[5] *Ibid.*, August 27, 1920.

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3. Egypt will have full control of her foreign relations subject to her not making treaties at variance with British policy. She will have the right to appoint her own diplomatic representatives, but in all probability the exercise of this privilege will be restricted for the present to those countries in which Egypt has commercial interests; in others, the British representative will act for Egypt.

4. The Capitulations (special treaties regulating the privileges of foreign residents), which have long been condemned as serious restraints[1] upon Egyptian freedom, will, if the powers consent, be abolished.

5. The present system of British departmental advisers will be abolished, including the Financial Adviser. British officials will be appointed, however, to take over and carry out the operations of the Public Debt Commission, and to look after legislation affecting foreigners.

6. British officials remaining in the Egyptian service will be the direct employes of the Egyptian government; those who leave the service, either through dismissal or resignation, will be generously compensated.

7. The final settlement as agreed upon will be embodied in a treaty of alliance to be negotiated by properly accredited representatives of the two governments and to be submitted for confirmation to the British Parliament and to the Egyptian National Assembly.

[1] These extraordinary privileges have been summarized by Sir Valentine Chirol as follows:

1. No direct tax can be imposed on foreigners resident in Egypt without the consent of all Capitulatory Powers.

2. All civil and commercial cases and all cases relating to land between foreigners and Egyptians, or between foreigners of the same or different nationalities, are tried by the mixed courts, which consist largely of foreign judges.

3. All criminal charges againt foreigners, with a few exceptions, which come within the jurisdiction of the mixed tribunals are tried in the Consular Court of the defendant's own nationality.

4. No domiciliary visit can take place in the premises of a foreigner without the previous consent of his own consular authority, and the Egyptian police cannot, without such authority, enter any foreigner's house except in case of fire or of an unmistakable cry for help against violence.—Chirol, *op. cit.*, p. 58. For discussion of origin of capitulations and how they operate see *ibid.*, p. 57 *et seq.*

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Early in September four members of the Egyptian delegation proceeded to Egypt, where in a public statement they set forth the terms of the draft agreement.[1] By far-seeing Egyptians it was most favorably received, but in some quarters it met with bitter opposition. In the first place, the extremists regard it as inadequate and, like the Egyptian Association in Paris, obdurately decline to accept anything short of complete independence. Then there are a considerable number who oppose it either because they are personally antagonistic to Saad Pasha Zaghlul or are hostile solely because they had no part in shaping the agreement. Finally, there are those who, although they have fostered change, are opposed to the agreement because they view with alarm the almost complete removal of British control and the possible negative consequences of the new régime. Equally, and in many respects far more serious, is the actual or possible non-Egyptian opposition. For half a century international bondholders have controlled the valley of the Nile; they, together with foreign industrial and commercial groups, oppose any measure which in their opinion jeopardizes their interests or future opportunities.[2] Then, too, there is no official assurance as yet that the powers will be willing to surrender their capitulatory rights; certainly the foreign communities which under the present arrangement are free from Egyptian jurisdiction, especially taxation, oppose any change and, consequently, are urging their home governments to preserve the *status quo*.

Whether the difficulties which have been encountered can be overcome remains to be seen; the whole plan, as Lord Milner has aptly said, may be "hissed off the stage",[3] but the mere fact that an intelligent beginning has been made and that at

[1] *The Times*, September 17, 1920.

[2] In this connection Lord Salisbury in the House of Lords declared it was preposterous that the British Empire should abandon its responsibility to Egypt and the Sudan because an American statesman, who had lost the confidence of his own country, invented the phrase "self-determination". He regards it as a matter of vital importance that Great Britain should retain real power in Egypt.—*The Times*, November 12, 1920.

[3] *Ibia.*

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last a serious attempt has been undertaken to fulfill the oft-repeated promise of British statesmen relative to Egypt, is in itself a matter of gratification to both the government and the people. The Milner Mission has dealt with the Egyptians in a wise and generous manner and the settlement proposed is to be ranked with Campbell-Bannerman's treatment of the Boers as among the few instances of magnanimous action by an imperialistic power toward a "backward" people. In its deeper significance this new phase of Anglo-Egyptian relationships has been admirably stated by a well known British Liberal: [1]

We cannot, however, hope that a decision so momentous, a scheme so surprising in its courage and promise, can be completed and put into effect without encountering serious difficulties. The great thing is that it should have been devised and given to the world as the embodiment of England's purpose in relation to a people which had almost lost the memory of national freedom. It comes, we may say most happily, at a moment when English policy and the English name are entangled in a morass of futility and confusion in the Middle East. And it should have the effect, not only of removing from the Moslem world a great clōud of suspicion and greatly heartening those who are working for a pacific solution in India, but also of proving that the ideas and principles which in the long run find embodiment in the imperial policy of Britain are those decreed by the better mind of the British people.

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[1] S. K. Ratcliffe, "England and a Free Egypt", *The New Republic*, vol. xxiv, no. 310, November 10, 1920.

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THE HINDU THEORY OF THE STATE

I. *The Doctrine of Mâtsya-nyâya* (*The Logic of the Fish*)

AT the back of political thinking in India there was the process of dichotomy at work. The Hindu thinkers tried to understand the state by differentiating it from the non-state. Their method was logical as well as historical. That is, in the first place, they tried to investigate in what particulars the state analytically differs from the non-state; and in the second place, they tried to picture to themselves how the pre-statal condition developed into the statal, *i. e.*, how the state grew out of the non-state. The chief solution of both these problems they found in the doctrine of *mâtsya-nyâya* or the logic of the fish.

What, now, is the non-state according to the Hindus? The same question was asked by the philosophers of Europe in the form of the query, "What is the state of nature?" And the Hindu answer was identical with the European.

According to Hooker (1554–1600) in the *Ecclesiastical Polity* the state of nature is a state of strife. The *Leviathan* of Hobbes (1588–1679) declares similarly that the state of nature is a state of war and of no rights. Spinoza (1632–77), also, expressed the opinion in his *Tractatus Theologico Politicus*, that the state of nature is a state of war and a state of the right of might. The non-state is thus conceived to be a war of "all against all", an "anarchy of birds and beasts", and a régime of vultures and harpies, as John Stuart Mill would have remarked.

It is interesting to observe that in China also the state of nature was analyzed by Moh-Ti (*c.* 500–420 B. C.) in almost identical terms. In the non-state, as Su Hu explains in *The Development of Logic in Ancient China*, "each man has his own notion of right. Therefore one man has one notion of right, two men have two notions of right, and ten men have

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ten notions of right. The more men there are, the more conceptions of right will there be. Consequently each man approves his own notion of right and denounces every other man's. So they denounce one another."

The Hobbesian "law of beasts and birds" or the *Naturprozess* of Gumplowicz is the logic (*nyâya*) of the fish (*mâtsya*) in India. Should there be no ruler to wield punishment on earth, says the *Mahabharata*[1] (*c.* B. C. 600–A. D. 200), "the stronger would devour the weak like fishes in water. It is related that in days of yore people were ruined through sovereignlessness, devouring one another like the stronger fishes preying upon the feebler". In the *Manu Samhita*[2] likewise we are told that "the strong would devour the weak like fishes" if there were a virtual reversion to the non-state (if, for example, the king were not vigilant in meting out punishment to those that should be punished). The *Ramayana*[3] also describes the non-state region as one in which "people ever devour one another like fishes". And a few details about the conditions in this non-state are furnished in the *Matsya-Purana*,[4] "The child, the old, the sick, the ascetic, the priest, the woman and the widow would be preyed upon", as we read, "according to the logic of the fish" (should *danda* or punishment fail to be operative at the proper time).

The idea of the fish-like struggle for existence or self-assertion was thus a generally accepted notion in the "floating literature" of Hindustan. It found an important place in the exclusively political treatises also. It was exploited as early as the latter half of the fourth century B. C. by Kautilya, one of the first among the historical names in Hindu political science. According to his *Artha-shastra*[5] the logic of the fish prevails

[1] Shanti-Parva, LXVII, 16–17; LXVIII, 11–12. For a brief account of the Sanskrit literature on political philosophy see the present author's "Hindu Political Philosophy" in the POLITICAL SCIENCE QUARTERLY (December, 1918) or D. R. Bhandarkar's Ancient History of England (Calcutta, 1919), pp. 87–113.

[2] VII, 20.

[3] Ayodhya-Kanda, LXVII, 31.

[4] CCXXV, 9.

[5] I, 4 (Eng. trans. by R. Shamasastry).

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while the state is unformed. "In the absence of the wielder of punishment the powerful swallows the powerless". And Kamandaka also, who followed several centuries after Kautilya, writes in his *Neeti-sara*[1] (Digest of Politics) that in the absence of punishment (*danda*) the destructive or ruinous logic of the fish operates through mutual animosities of the people and leads to the disruption of the world.

Nor was the doctrine confined within the circle of academicians and theorists alone. We find it prevalent even among the diplomatists and practical statesmen, *e. g.* of the ninth century. In the declarations of the Bengali emperor Dharmapala[2] we are informed that his illustrious dynasty owed its origin to an "election" by the people. We are told further that it was "in order to escape from the logic of the fish", *i. e.* in order to escape from being absorbed into another kingdom, or to avoid being swallowed like a fish, that the people of Bengal "made his father Gopala accept the sovereignty". The medieval Hindu monarch was here using almost the same metaphor as was employed in the nineteenth century by Mill in his essay *On Liberty* when he explained how "in order to prevent the weaker members of the community from being preyed upon by innumerable vultures it was needful that there should be an animal of prey stronger than the rest, commissioned to keep them down".

This theory of the non-state or the state of nature has had important bearings on other doctrines of Hindu political philosophy. For the present we have only to note that in India political speculation was not divorced from the general intellectual currents in the society. The Hindu political philosophers kept themselves abreast of the contemporary thought in other branches of inquiry. The logical apparatus and dialectical machinery used in political discussions were familiar instruments in the cultural *milieu* of the Hindu scientific world.

Mâtsya-nyâya, for instance, is an expressive technical term in Hindu legal phraseology. In Raghunatha's fifteenth-century

[1] II, 40 (Eng. trans. by M. N. Dutt).

[2] Epigraphia Indica, vol. iv, p. 248; Rakhaldas Banerji's History of Bengal (in Bengali), pp. 147–149.

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Laukika-Nyâya-Samgraha[1] (Compilation of Popular Legal Maxims) we find the "logic of the fish" coupled with the "logic of the monsters". The logic of the monsters is known as *Shoondo-pashoonda Nyâya*. Shoonda and Upashoonda are two monster-brothers like Pyrochles and Cymochles in Spenser's *Faerie Queene*. They are said to have quarreled over the nymph Tilottama and destroyed each other in the contest. Thus when two contradictory facts are equally strong, they neutralize each other. But when they are of unequal strength, *i. e.* when the one can overpower the other, there is generated a field for the operation of the logic of the fish and the survival of the fittest.

The logic of the fish arises, as Raghunatha explains, under a double set of conditions. First, there must be a conflict between a powerful and a powerless unit. And secondly, the latter must have been crushed and obliterated by the former. It is frequently referred to, says he, in the *Itihasas* (treatises on history) and the *Puranas*, and he quotes the following passage from Vashistha:[2] "By this time that Rasatala region had become extremely sovereignless, *i. e.* an anarchic non-state, characterized by the ignoble logic of the fish". Vashistha's verse is elucidated by Raghunatha with the gloss that "strong fishes began to make an end of the weaker ones".

The non-state is then a state of anarchy, one in which the "tyranny of robbers" has full play, "justice is non-existent", and the "people prey upon one another". It is "the greatest evil".[3] "Enjoyment of wealth and wives is impossible" under it.[4] Only the robber is then happy. Even his happiness is precarious, because "the one is deprived of his loot by two, the two are robbed of theirs by several combined".[5] "A free man is made a slave" and the "women are raped".[6]

[1] Kishori Lal Sarkar's Rules of Interpretation in Hindu Law, Tagore Law Lectures at the University of Calcutta, Lecture VI.

[2] Cited in Akshaya Kumar Maitra's Ganda-lekha-mala (Inscriptions of the Bengali Imperial Dynasties) in Bengali, p. 19.

[3] Maha., Shanti, LXVII, 1–3.

[4] *Ibid.*, LXVII, 12.

[5] *Ibid.*, LXVII, 14.

[6] *Ibid.*, LXVII, 15.

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The psychology of men in the state of nature is brought out in the Book of *Shanti* (Peace) of the *Mahabharata* in relation to the following causal nexus: "Then foolishness or stupidity (*moha*)[1] seized their minds. Their intelligence being thus eclipsed, the sense of justice (*dharma*) was lost. Cupidity or temptation (*lobha*) overpowered them next. Thus arose the desire (*kama*) for possessing things not yet possessed. And this led to their being subjugated by an affection (*raga*) under which they began to ignore the distinction between what should and what should not be done.[2] Consequently there appeared sexual license, libertinism in speech and diet, and indifference to morals. When such a revolution[3] set in among men, *Brahman* (the idea of Godhead) disappeared, and with it, law (*dharma*)".

It is thus with the negation of morals and manners, the nullification of property, the very antithesis of law and justice, that the non-state is identified. And this appears to have been the fundamental position of the Hindu theorists on the state. From this negative analysis it requires but a logical "conversion" according to the law of "contraries" to establish positively the philosophy of the state. To this we shall now address ourselves.

II. *The Doctrine of Danda*
(*Punishment, Coercion, Sanction*)

Two "inseparable accidents" of the Hindu theory of the state are, first, the doctrine of *mamatva* ("mine"-ness) or *svatva* (*suum*), *i. e.* "one's own"-ness, *proprium* or property, and secondly, the doctrine of *dharma* (*i. e.* law, justice and duty). And behind them both lies the doctrine of *danda* (punishment, restraint, or sanction). Herein is to be sought the nucleus of the whole Hindu philosophy of sovereignty.

[1] Shanti, LIX, 15.

[2] *Ibid.*, LIX, 19–19.

[3] *Ibid.*, LIX, 20–21. For the bearing of *mâtsya nyâya* on world politics *vide* the present author's "Hindu Theory of International Relations" in the *American Political Science Review* (August, 1919).

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A state is a state because it can coerce, restrain, compel. Eliminate control or the coercive element from social life, and the state as an entity vanishes. *Danda* is *überhaupt* the very essence of statal relations. No *danda*, no state. A *danda*-less, *i. e.* sanctionless, state is a contradiction in terms.

We have noticed above that the absence of *danda* is tantamount to *mâtsya-nyâya* or the state of nature. It is clear also that property and *dharma* do not exist in that non-state. These entities can have their roots only in the state. The whole theory thus consists of two formulæ:

I. No *danda*, no state.
II. (a) No state, no *dharma*.
(b) No state, no property.

What, then, is the *rationale* of this *danda?* What is it that makes coercion the *sine qua non* of the state? Why is it that the very idea of government should imply a restraint, a check, a control, a sanction? In Hindu political philosophy the answer to these questions is to be found in the "original nature of man".

The phenomena of government are founded on the data of human psychology. And in regard to them the general trend of thought all the world over seems to have been the same. In ancient China Hsun Tze (B. C. 305–235?) strongly condemned the doctrine of Mencius (B. C. 373–289) who had postulated the "original goodness" of human nature. According to him (Book XXIII)[1] "man is by nature wicked, his goodness is the result of nurture". "A curved twig needs straightening and heating and bending in order to become straight. * * * And man who is by nature wicked needs teaching and discipline in order to be right and requires the influence of *Li* and *Yi* [*Sittlichkeit*] in order to be good. The ancient rulers understood the native viciousness of man, . . . and therefore created morals, laws and institutions in order that human instincts and impulses might be disciplined and transformed".

Let us now turn to the Western world. Seneca, the Stoic philosopher of the first century A. D., "looked upon the insti-

[1] Cited and translated by Su Hu, Part IV, ch. iii.

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tutions of society as being the results of vice, of the corruption of human nature. They are conventional institutions made necessary by the actual defects of human nature". The philosophical "anarchists" of modern times may make use of this doctrine. Men indeed had known a previous period of innocence; but after a time, according to this Roman thinker, they became avaricious. "Avarice rent the first happy society asunder. It resulted that even those who were made wealthy became poor, for desiring to possess things for their own, they ceased to possess all things. The rulers grew dissatisfied with their paternal rule; the lust of authority seized upon them".[1]

This doctrine of human depravity and the natural wickedness of man was entertained by the Church Fathers also. St. Irenæus (second century A. D.) in discussing the causes which have made government necessary holds the view that "men departed from God and hated their fellow men, and fell into confusion and disorder of every kind; and so God set men over each other imposing the fear of man upon man, and subjecting men to the authority of men, that by this means they might be compelled to some measure of righteousness and just dealing".[2]

The idea that "the institution of government was made necessary by sin and is a divinely appointed remedy for sin" was continued and developed by St. Augustine and St. Gregory the Great. It was "emphatically restated by the ecclesiastical and political writers" of the period from the ninth to the thirteenth century, and found a champion in Hildebrand, Pope Gregory VII (1073–1085).[3]

The verdict of Hindu thinkers on the nature of man is identical. According to Kamandaka,[4] men are by nature subject to passions and are covetous of one another's wealth and wives. "Rare", says Manu,[5] "is the man pure or sinless" (by nature). *Doorlabho hi shoochirnarah.* The lower ones tend to usurp

[1] Carlyle's Mediaeval Political Theory in the West, vol. i, p. 24.

[2] *Ibid.*, vol. i, p. 129.

[3] *Ibid.*, vol. ii, 143–446, vol. iii, 97, 105, 187.

[4] II, 42.

[5] VII, 22.

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the places of the higher. People are prone to interfere with the rights of others[1] and violate morals and manners.[2]

Not that there was no Saturnian golden age of pristine purity and bliss. For, says the *Mahabharata*,[3] anticipating by over a millennium the dogmas of Father Lactantius and others, "at first there was neither state nor ruler, neither punishment nor anybody to exercise it. The people used to protect one another through innate righteousness [*dharma*] and sense of justice". But, as among the Stoics and the Canonists, the "fall" of mankind is accounted for by the Hindus also on the basis of a postulate of sin, loss of true religion, *moha*, stupidity, and what not.

On the whole, therefore, it is not a roseate, romantic conception of human tendencies and instincts that the *Mahabharata* offers. The dictum, "spare the rod, and spoil the child", proverbial in Western pedagogics, might be duplicated by the Hindu thinkers also. For, as we read in the Book of *Shanti*, by nature "men tend to overthrow[4] one another." Left to itself the "whole world would be in a mess" like a devil's workshop. As a rule men are used to behaving like "the creatures[5] that cannot see one another when the sun and moon do not shine", or like the "fishes in shallow waters", or "birds in places safe from molestation where they can fly at each other's throats in a suicidal strife".

Men, we are told, normally acknowledge only one right, and that is the right of might. Those who do not part with their property for the asking run the risk of being killed.[6] Wives, children, food *etc.* of the weak are liable to be seized perforce by the strong. "Murder, confinement and persecution constitute the eternal lot of the propertied classes".[7] The very

[1] Manu, VII, 21.
[2] *Ibid.*, VII, 24.
[3] Shanti, LIX, 14.
[4] *Ibid.*, LXVIII, 8.
[5] *Ibid.*, LXVIII, 10–12.
[6] *Ibid.*, LXVIII, 14.
[7] *Ibid.*, LXVIII, 19.

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phrase, "this is mine" (*Mamedam*), may be lost from the vocabulary, and *mamatva* or property become extinct.

The natural tendency of human relations,[1] according to the *Mahabharata*, is toward sexual promiscuity (*yonidosa*). The formation of marriage alliances or of stable societies is not based upon instinctive promptings, man being as he is. And if possible, he would shirk even agriculture, commerce, and other means of livelihood, preferring a state of slothful ease and the "primrose path of dalliance".

Such is the man natural, or man as nature made him, in the political anthropology of the *Mahabharata*. This state of license is the furthest removed not only from a Wordsworthian "Nature's holy plan" but also from the picture of original man governed by a law of "reason" as exhibited in Locke's treatises on *Civil Government*. Nor is it anything but antipodal to the Rousseauesque faith in man's natural impulses and idealization of the "human heart by which we live". Instead, therefore, of postulating with the writer of *Émile* that "all things are good as their Author made them, but everything degenerates in the hands of man", or finding "reason to complain what man has made of man", the Hindu students of political theory set a high premium on the institutions and conventions that make up the artificial thing called civilization. In fact, it is to educate man out of the deplorable mire of primitive license and brutish freedom that government has been instituted, say they. The state is designed to correct human vices or restrain them and open up the avenues to a fuller and higher life. And all this is possible only because of *danda*.

In all discussions of political theory, therefore, the doctrine of *danda* occupies a foremost place. Some writers have even called their treatises on politics and statecraft *Danda-neeti* (Laws of Sanction, or Science of *Danda*). In the *Manu Samhita*, at any rate, no other category is calculated to command greater attention. For, is not *danda* "divine, God's own son, the protector of all beings, and as powerful as law itself"? [2]

[1] Shanti, LXVIII, 21–22.

[2] Manu, VII, 14.

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Indeed, it keeps all created beings to their respective duties (*svadharma*), the "virtues" of Plato or the "functions" of neo-Hegelians, and makes them cooperate to promote *bhoga* or happiness.[1] Nay, it is in reality "the king, the male (compared with which all other things are female), the manager of affairs, the ruler, the surety for the four orders' pursuit of their own duties in life".[2] Furthermore, it governs, protects and watches. Last but not least, it is identical with law.[3] To crown all, the whole world is rectified by *danda*[4] and even the gods and demigods are subject to its authority.[5]

Danda, as interpreted by Manu, is obviously the very principle of omnipotence, comparable to the *majestas* of Bodin or the *summa potestas* of Grotius. It is the abstraction of that power whose concrete embodiment is sovereignty in a state. It is absolute, with jurisdiction over all, uncontrolled by any entity.

A ruler *in office* personifies this *danda*, but the ruler *as a person* is subject to it as every other individual is. Hence the inevitable dilemma of kingship in the Hindu theory of the state. It is by wielding this terrible weapon that the king is to preside over and regulate the state. He is the *danda-dhara*, *i. e.* holder or bearer of the torch of sovereignty, but he is himself liable to be scorched by it and may be one of its first victims, for he is not "infallible".

In Hindu political thought, therefore, *danda* is a two-handed sword and cuts both ways. On the one hand, it is a terror to the people and is a corrective of social abuses. It is a moralizer, purifier and civilizing agent. As Kamandaka[6] observes, it is by the administration of *danda* that the state can be saved from a reversion to the logic of the fish and utter annihilation. It is through fear of punishment, according to the *Shookra-neeti*,[7]

[1] Manu, VII, 15.
[2] *Ibid.*, VII, 17.
[3] *Ibid.*, VII, 18.
[4] *Ibid.*, VII, 22.
[5] *Ibid.*, VII, 23.
[6] II, 40–42.
[7] IV, i, lines 92–97 (Madras Text, edited by Oppert and translated by the present author for the Panini Office, Allahabad).

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that people become virtuous and refrain from committing aggression or indulging in untruths. *Danda* is efficacious, moreover, in causing the cruel to become mild, the wicked to give up their crimes, and the garrulous to beware of loquacity. It can subdue even beasts. It frightens the thieves and terrifies enemies into submission as tributaries, demoralizing all those that are wayward. It is good also for preceptors and can bring them to their senses, should they happen to be addicted to inordinate vanity or should they become unmindful of their own avocations.[1] Finally, it is the foundation of civic life, being the "great stay of all virtues"; and all the "methods and means of statecraft" would be fruitless without a judicious exercise of *danda*.[2] Its uses as a beneficent agency in social life are, therefore, unequivocally recommended by Shookra in his *Politics*.[3]

But, on the other hand, *danda* is also a most potent instrument of danger to the ruler himself, to the powers that be. For, "uneasy lies the head that wears the crown", in more senses than one. The maladministration of *danda*, says Kamandaka,[4] leads to the fall of the ruler. If the ruler is wise enough to manipulate it carefully, as Manu observes,[5] it is surely conducive to the greatest good of the people. But what is the guarantee that the holder of the weapon will not bungle with it and handle it thoughtlessly or arbitrarily? In that case, the *danda* will lead to ruin of the state. And will the office-holder, the king, for instance, go scot-free? By no means. Manu is an advocate of regicide. He does not hesitate to declare that *danda* would smite the king who deviated from his duty.[6] It would smite his relatives as well, together with his castles, territories and possessions. The commonweal depends, therefore, on the proper exercise of the *summa potestas*.

[1] IV, i, lines 99–100.

[2] IV, i, lines 101–102.

[3] IV, i, line 98.

[4] II, 39.

[5] VII, 19.

[6] VII, 28–29.

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Danda thus carries with it its own nemesis, and we are at once reminded of Mill who says in his essay on *Liberty* that "as the king of the vultures would be no less bent upon preying on the flock than any of the minor harpies, it was indispensable to be in a perpetual attitude of defense against his beak and claws". A like bulwark of the people's rights as against the ruler is furnished by the Hindu doctrine of *danda*, in so far as its efficacy is conditional on its proper use. In the first place, Manu would not allow any ill-disciplined man [1] to be the administrator of the *danda*. In the second place, the "greatest amount of wisdom", derived in part from the "help of councillors and others," [2] is held to be the essential prerequisite for the handling of this instrument. Herein is discovered the logical check on the possible absolutism of the *danda-dhara* in the Hindu theory of sovereignty.

In accordance with the doctrine of *danda*, then, the state is conceived as a pedagogic institution or moral laboratory, so to speak. It is an organization in and through which men's natural vices are purged, and it thereby becomes an effective means to the general uplifting of mankind.[3] The Hindu theorists therefore consider the state to be an institution "necessary" to the human race if man is not to grovel in the condition of *mâtsya-nyâya* under the law of beasts. Man, if he is to be man, cannot do without political organization. He must have a state, and must submit to sanction, coercion and punishment—in a word, to *danda*.

BENOY KUMAR SARKAR.

PARIS.

[1] VII, 28.

[2] VII, 30.

[3] *Vide* the present author's "Theory of Property, Law and Social Order in Hindu Political Philosophy" in the *International Journal of Ethics* (April, 1920), for the Indian conception of the state as the means for the furtherance of the highest good.

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THE MALOLOS CONSTITUTION

A Filipino Attempt at Constitution-Making

THE only constitution ever framed by Filipinos is what is known as the Malolos Constitution, taking its name from the then capital of the Filipino Revolutionary Government. This constitution, to be understood, should be viewed in relation to its background: centuries of Spanish rule over the Philippines, insurrections first against the authority of Spain and "her bad government", and later against the assumption of sovereignty by the United States, and the gradually increasing sense of nationality which, nourished in the blood of martyrdom, grew into a common and an ardent desire for independence.

Although the revolt of 1872 against Spain failed almost at once, it was revived on a larger scale in 1896 and was only temporarily checked by the Pact of Biac-na-bato, between the Spanish authorities and General Emilio Aguinaldo, the commander-in-chief of the Filipino forces. A recrudescence of the outbreak, with various causes, the principal of which was a misunderstanding of American aims, began in 1898, and was brought to a conclusion by the dispersal of the Filipino forces and the capture of General Aguinaldo, followed by the Amnesty Proclamation of the President of the United States, July 4, 1902, granting full and complete pardon to all persons for political offenses committed in the islands.

A Filipino government was first established in the form of a dictatorship by Aguinaldo's proclamation of May 24, 1898. The government, according to this proclamation, was "to be administered by decrees promulgated upon my responsibility solely," until the islands shall be "completely conquered and able to form a constitutional convention and to elect a president and a cabinet in whose favor I will duly resign the author-

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ity."[1] One month later, the Dictatorial Government gave way to the Revolutionary Government, with Aguinaldo as president. The objects of the Revolutionary Government, according to the proclamation providing for its temporary constitution, were "to struggle for the independence of the Philippines, until all nations, including Spain, shall expressly recognize it, and to prepare the country for the establishment of a real Republic."[2]

During the entire period, 1897–1901, Emilio Aguinaldo was successively the commander general, the dictator, the president of the Revolutionary Government, and the president of the Philippine Republic. He was assisted by cabinets, in which served eminent Filipinos such as Apolinario Mabini, Pedro A. Paterno, and Felipe Buencamino. Foreign delegates were appointed, of whom Felipe Agoncillo was the most active. Two groups arose in the government: one, the Radicals or "*Irreconcilables*," the war party which believed in independence at any cost, and the other, the Conservatives or "*Pacíficos*," who wanted peace, with independence if possible, but if not, the best government which peaceful means could obtain from the Spanish or American régimes. From the standpoint of international law, the Filipino government was of the class known as a *de facto* government.[3]

Possibly the most important manifestation of governmental capacity—at least it is of most interest in this connection—was the record of the revolutionary congress. In conformity with the organic decree of June 23, 1898, made effective by decrees of September 4 and 10 of the same year, the congress convened in the church of Barasoain near Malolos, Bulacan, on September 15, 1898. Eighty-five deputies, some elected and some appointed, responded to the summons.[4] The legal pro-

[1] See Aguinaldo's Reseña Verídica de la Revolución Filipina (True Review of the Philippine Revolution) of September 23, 1899, published in vol. 35, Cong. Record, Part 8, Appendix, p. 440. Proclamation quoted in Senate Document 62, p. 431.

[2] Calderòn, Mis Memorias sobre la Revolución Filipina (My Memories of the Philippine Revolution), pp. 72–92.

[3] Macleod *v.* United States (1912) 229 U. S. 416, 57, L. Ed. 1260; U. S. *v.* Pagaduan (1917) 37 Phil. 90.

[4] Calderón, Mis Memorias sobre la Revolución Filipina, Appendix, pp. 1–3; Worcester, The Philippines Past and Present, vol. i, p. 264. The list printed with the

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fession was most largely represented. Many able Filipinos were included among the members. Some were later to fill important posts in the American administration. There was Pedro A. Paterno, a prominent figure during the closing days of the Spanish administration and an intermediary between the Spanish officials and the Filipino radicals; Benito Legarda, subsequently a member of the Philippine Commission and a resident commissioner to the United States; Gregorio Araneta, attorney-general and secretary of finance and justice; Pablo Ocampo, resident commissioner to the United States; Trinidad A. Pardo de Tavera, member of the Philippine Commission and organizer of the Federal Party; Alberto Barretto, secretary of finance; Ignacio Villamor, attorney-general and president of the University of the Philippines; Arsenio Cruz Herrera, mayor of Manila and member of the Philippine Assembly; Felipe Buencamino, long a well-known lawyer; and others who became judges or assemblymen. While a few delegates were graduates of European universities, yet Felipe Calderón, the member of the convention who assumed the most prominent rôle in its deliberations, and whose work, *My Memories of the Philippine Revolution*, is of a nature similar to that of *The Federalist*, and of Prince Ito's *Commentaries on the Japanese Constitution*, is frank to admit that they had little or no knowledge of matters political and constitutional.[1] An American writer, John Barrett, more charitably inclined, says that the delegates "would compare in behavior, manner, dress and education with the average men of the better classes of other Asiatic nations, possibly including the Japanese. These men, whose sessions I repeatedly attended, conducted themselves with great decorum and showed a knowledge of debate and parliamentary law that would not compare unfavorably with the Japanese parliament."[2]

official edition of the political constitution of the Philippine Republic contains the names of ninety-two members, later raised to one hundred and ten. Le Roy, The Americans in the Philippines, vol. i, pp. 288, 299, notes.

[1] Calderón, Mis Memorias sobre la Revolución Filipina, pp. 234, 235.

[2] John Barrett, ex-Minister to Siam, in an address at Shanghai, January 12, 1899; and, by the same author, "Some Phases of the Philippine Situation," *Review of Reviews*, July, 1899, p. 65.

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The sessions of the revolutionary congress were opened by the president, who read his message in person. The delegates were therein enjoined "to write with their votes the immortal book of the Filipino Constitution, as the supreme expression of the national will."[1] The congress was organized with Pedro A. Paterno as president, Benito Legarda as vice-president, and Gregorio Araneta and Pablo Ocampo as secretaries. The rules of the Spanish Cortes, slightly modified, were temporarily adopted. Eight committees were selected, including a committee to draft a constitution, composed of Hipolito Magsalin, Basilio Teodoro, José Albert, Joaquín González, Gregorio Araneta, Pablo Ocampo, Aguedo Velarde, Higinio Benitez, Tomás G. del Rosario, José Alejandrino, Alberto Barretto, José Ma. de la Viña, José Luna, Antonio Luna, Mariano Abella, Juan Manday, Felipe Calderón, Arsenio Cruz Herrera, and Felipe Buencamino.[2] Subsequent to the perfection of an organization, and the patriotic ratification of a declaration of independence, the principal work of the congress became the discussion and adoption of a constitution.

Contemporary testimony shows that the Committee on the Constitution had before it three plans: those of Paterno, a modification of his autonomy project; of Mabini, expounded in his *True Decalogue* and his *Constitutional Program;* and of Calderón. The project of the latter prevailed, and was reported to the congress on October 8, 1898.[3] Then, after printed copies had been distributed, there ensued a discussion article by article, lasting for over a month—from October 25 to November 29. Those prominent in the debates were Felipe Calderón, Ambrosio Rianzares Bautista, Juaquin González, Tomás G. del Rosario, Arcadio del Rosario, Ignacio Villamor, Alberto Barretto, Aguedo Velarde, and Pablo Tecson. The religious question—whether to adopt a state religion as proposed by Calderón, or separation of church and state as

[1] Millet, The Expedition to the Philippines, pp. 261–267; Calderón, Mis Memorias sobre la Revolución Filipina, appendix, pp. 3–5.

[2] Calderón, Mis Memorias sobre la Revolución Filipina, pp. 234, 235; appendix, pp. 5–10.

[3] *Ibid.*, appendix, pp. 16–18.

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advocated by the faction under the leadership of Tomás G. del Rosario—was the subject of the most heated debate; after the first vote had resulted in a tie, twenty-five to twenty-five, Pablo Tecson cast the deciding vote in favor of the amendment providing for freedom of worship.[1] The constitution was approved by congress on November 29 and immediately transmitted to General Aguinaldo for promulgation. The president of the Revolutionary Government, however, acting on the instigation of the premier, Mabini, returned the proposed constitution on December 1, 1898, with a message in which he recommended certain amendments.[2] The congress, following the report of its committee, prepared by Calderón, refused to accede to these amendments.[3] The president thereupon gave in and approved the constitution on December 23. On January 21, 1899, the day after the formal adoption by congress, President Aguinaldo promulgated the constitution and ordered that it should be "kept, complied with and executed in all its parts because it is the sovereign will of the Filipino people." A copy of the constitution was forwarded by Aguinaldo to General Otis, the military governor, with the comment that the people "have adopted the form of government most compatible with their aspirations".[4] Due to the war, the Malolos Constitution was never actually put in force.

Mabini vigorously contended that under the provisions of

[1] An account, with brief summaries of the discussion, will be found in *La Independencia* for November 29, 30, and December 1, 1898, and in Calderón, Mis Memorias sobre la Revolución Filipina, pp. 241–245. See Le Roy, The Americans in the Philippines, vol. i, pp. 316, 317. Article 5, Title III, of the constitution as passed reads: "The State recognizes the freedom and equality of religious worship, as well as the separation of the Church and the State."

[2] Calderón, Mis Memorias sobre la Revolución Filipina, appendix, p. 99; Ponce, Efemérides Filipinas, pp. 71–74; Kalaw, Documentos Constitucionales sobre Filipinas, Part 2, p. 36, citing Document 34, say December 1, 1898. Kalaw, La Constitución de Malolos, and Worcester, The Philippines Past and Present, vol. i, p. 266, citing record 40.8, give January 1, 1899. See Mabini, La Revolución Filipina, p. 72. Message quoted in Kalaw, La Constitución de Malolos, Appendix B.

[3] Quoted in Calderón, Mis Memorias sobre la Revolución Filipina, pp. 237, 238, appendix, pp. 99, *et. seq.*; and in Kalaw, La Constitución de Malolos, Appendix C.

[4] Hearings before the Senate Committee on the Philippines, vol. i, p. 823; Senate Document 138, 56th Congress, 1st session; Ponce, Efemérides Filipinas, p. 71.

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articles fifteen and sixteen of the organic decree giving the powers of Congress, it had no legal right to adopt a constitution. He advised Aguinaldo that "congress should not adopt a constitution, as it was not a constituent assembly; nor could it enact laws, as it did not have any legislative powers; and its principal and urgent duty was to study the best system of organizing the military forces and obtaining the necessary funds for the maintenance of the same." "Moreover," he added, "it was not the right time for framing a constitution, as the independence of the Philippines had not as yet been recognized."[1] His advice was of no avail and was rejected by the president and the cabinet. Mabini was probably right in theory, but wrong in fact. He was right in showing that the time was not the best for the drafting of a formal constitution. The testimony of others proves him wrong in arguing that the principal aim of the congress was not the adoption of a constitution. That was the avowed purpose as a matter of policy.

While Felipe G. Calderón is entitled to the honor of being called the author of the Malolos Constitution, that document was by no means an entirely original creation. Prior constitutional projects in the Philippines had a molding influence. The *Cartilla* and the *Sanggunian-Hukuman* — the charter and code of laws and morals of the Katipunan, drawn up by Emilio Jacinto (1896); the provisional constitution of Biaknabato (1897) modeled after a revolutionary constitution of Cuba, planned by Isabelo Artacho; Mabini's *Constitutional Program of the Philippine Republic* (1898); the provisional constitution of Mariano Ponce (1898), following Spanish constitutions; and the autonomy projects of Paterno (1898)—all contributed to the evolution of the Malolos Constitution.[2] Besides, as the committee on the constitution said in its report:

[1] Mabini's Writings, vol. ii, pp. 246, 247; Mabini, La Revolución Filipina, pp. 68–71. See Kalaw, "The Constitutional Plan of the Philippine Revolution," *Philippine Law Journal*, December, 1914, pp. 208, 209.

[2] Epifanio de los Santos, Biography of Trinidad H. Pardo de Tavera, p. 33; Epifanio de los Santos, Biography of Emilio Jacinto; Kalaw, "The Constitutional Plan of the Philippine Revolution," *Philippine Law Journal*, December, 1914, pp. 204–207.

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"The work whose results the commission has the honor to present for the consideration of congress has been largely a matter of selection; in executing it not only has the French constitution been used, but also the constitutions of Belgium, Mexico, Brazil, Nicaragua, Costa Rica, and Guatemala, as we have considered those nations as most resembling the Filipino people."[1] The general outline of the text was borrowed from Costa Rica, Chile, and Spain. The inspiration was always drawn from Spanish or Spanish-American constitutions. A comparison of the articles of the Malolos Constitution with those of Spain and the South American republics will show this. Such influence as the constitution of the United States had upon the Malolos document filtered through the constitutions of its Southern neighbors. Arcadio del Rosario did indeed contend on the floor of the revolutionary congress that the work of the committee should have been patterned after the constitution of the American nation, which "being the champion of liberty, is the most democratic nation, and with which the Filipino people are united by strong ties of friendship and sympathy"; but the reply of Calderón prevailed—"that the gratitude which the Filipino people owed the American nation did not oblige them to adopt the institutions of the latter, taking into consideration the differences in their history, usages, and customs, and that the country was most akin, politically, to the South American republics, and other Latin nations".[2]

The tendency to absorb Latin principles was natural, in fact inevitable, because of the education of the leading members and their familiarity with Spanish institutions, and because of what Calderón called the "religious tradition."

The constitution[3] opened with a preamble reading: "We,

[1] Calderón, Mis Memorias sobre la Revolución Filipina, appendix, pp. 16–18; Ponce, Efemérides Filipinas, pp. 71–74; Worcester, The Philippines Past and Present, vol. i, p. 265, citing record 40.1.

[2] See Calderón, Mis Memorias sobre la Revolución Filipina, appendix, pp. 19–23, for a synopsis of the debate.

[3] Published in Tagalog in the *Heraldo Filipina*, official organ of the revolutionary government, last instalment on February 5, 1899. See Harper's History of the War in the Philippines, p. 106, for facsimile. Appears in Spanish as an appendix to

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the Representatives of the Filipino People, lawfully convened, in order to establish justice, provide for common defense, promote the general welfare and insure the benefits of liberty, imploring the aid of the Sovereign Legislator of the Universe for the attainment of these ends, have voted, decreed, and sanctioned the following political constitution". The constitution then organized a Filipino state called the Philippine Republic, sovereignty residing exclusively in the people. The national and individual rights of Filipinos and aliens were next specified. These provisions are, in the main, literal copies of articles of the Spanish constitution. The bill of rights included —religious liberty; freedom from arbitrary arrest and imprisonment, a provision like that of Spain; recognition of what amounts to the writ of *habeas corpus;* sanctity of domicile; prohibition of unreasonable searches and seizures; right to choose one's domicile; inviolability of correspondence; prohibition of criminal prosecutions unless in a competent court and according to law; protection of private property, reserving to the government the right of eminent domain; inhibition against the payment of any tax not legally prescribed; freedom of speech and press; right to form associations; right to petition; permission to establish educational institutions: compulsory and free popular education; right of expatriation; prohibition of trial under special laws or by special tribunals; prohibition against laws of primogeniture and the entailment of property; prohibition of acceptance of titles of honor or nobility from foreign nations without authorization of the government and of the granting of such honors by the Republic. The constitution also provided (article 28) that "the enumeration of the rights granted in this title does not imply the prohibition of any others not expressly stated." On every Filipino there was imposed the obligation of defending the country and of contributing to the expenses of the state. A government was established which was expected to be popular, representative and responsible,

Kalaw, La Constitución de Malolos. Appears in English as Appendix C to the Hearings before the Committee on the Philippines, United States Senate, Sixty-third Congress, Third Session; as Exhibit IV, vol. i, Report of the Philippine Commission, 1900; and in Senate Document 208, Part I, p. 207.

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consisting of three independent powers called the legislative, the executive and the judicial. Profiting by prior experience, the Church and the State were made separate.

The legislative power was vested in a unicameral body called the Assembly of Representatives. The members were to be elected according to law for terms of four years. They were expected to represent the entire nation and not exclusively the voters who chose them. The secretaries of the government were given seats in the assembly. The assembly was to meet annually for a period of at least three months. Bills could be introduced either by the president or by a member of the assembly. No bill could become a law without having been passed by the assembly, at least a fourth part of the total number of members being present. As the legislative powers of the assembly were not specified, it is logical to presume that it was to have all power not expressly prohibited to it by the constitution. Among powers not legislative in nature granted to the body were the right to select its own officers, the right of censure and interpellation, and the right of impeaching the president, the cabinet members, the chief justice of the supreme court, and the solicitor-general. A permanent commission of seven, elected by the assembly, and granted certain specific powers by the constitution, was to sit during the intervals between sessions of the assembly.

The executive power was vested in the president of the Republic. The president was to be elected by a constituent assembly, consisting of the members of the assembly of representatives and special representatives (as to who these were to be the constitution is silent), for a term of four years, and was to be eligible for re-election. No vice-president was provided for. In case of a vacancy in the office of chief executive, a president was to be selected by the constituent assembly, the prerogatives of the office in the meantime being exercised by the chief justice of the supreme court. Among the powers granted to the president were: the initiation of laws; the veto power; the command of the army and navy; and the right to dissolve the assembly, to send messages to the legislature, to appoint the secretaries of the government, to grant pardons,

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and to have control over diplomatic and commercial relations with other states. The functions of the executive department were to be performed by the Council of the Government, composed of a president and seven secretaries. The several portfolios were: foreign affairs, interior, finance, war and navy, public instruction, public communications and works, and agriculture, industry, and commerce. The secretaries were made jointly responsible to the assembly for the general policy of the government and individually responsible for their personal acts. An important duty of the cabinet was that of annually presenting a budget to the assembly. It is to be presumed that such a plan would evolve into responsible government.

The judicial power was vested in the supreme court of justice and in other courts to be created by law. The membership and organization of the courts was to be governed by special laws. The chief justice of the supreme court and the solicitor-general were to be chosen by the national assembly, with the concurrence of the president of the Republic and the secretaries of the government. The courts were made "absolutely independent of the legislative and executive departments", and were given the power to apply the laws in civil and criminal cases in the name of the nation. But one system of law was to be established throughout the Republic for all citizens.

The organization of the provincial and municipal assemblies was to be governed generally by the following principles: (1) The government and direction of the interests of the several provinces and municipalities by their respective corporations: (2) popular and direct elections; (3) intervention by the central government or by the national assembly in case the provinces or municipalities exceeded their powers. Local government was to be placed upon "the basis of the most ample decentralization and administrative autonomy." Amendments to the constitution must originate in the assembly of representatives, while power of adoption resided in the constituent assembly. Transitory articles to cover the then existing extraordinary situation were appended. An "additional article" provided for the "restoration to the Filipino State"—meaning confiscation—of the properties belonging to the religious corporations in the Philippines.

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Not to attempt to indite commentaries on a constitution which was never in force, there are certain unique and outstanding features therein which should at least be mentioned. Among these are the establishment of the unicameral system; the permanent commission; ministerial responsibility; central intervention in local administration; the taking of the properties of the religious orders; and the dominance of the legislative power. Reasons of local character caused the inclusion of such provisions. If one wished, most could be justified on broader grounds. Thus, the unicameral system, which is more natural than accidental, and which has found advocates in such countries as Greece, Rome, England, and France, has its merits. The legislative commission, still to be found in certain modern constitutions, gives continually to government, and is greatly to be commended. Ministerial responsibility, resulting in the bringing of the executive and legislative powers into close unison, and to increased governmental efficiency, is to be found in almost every advanced country excepting the United States.

The central and all-pervading idea of the constitution was to insure the predominance of the legislature. This is explained by Calderón in the following words:

While I proclaimed the principle of the separation of powers, I conferred upon the legislature such ample powers in the constitution that in reality it had the power of supervision over the executive and judicial branches; and in order to make this supervision more effective, in imitation of the constitution of Costa Rica, I established what is known as the Permanent Commission, *i. e.*, a committee composed of members of Congress who are to assume all the powers of the same while not in session, with sufficient powers to adopt any urgent measures in case of emergency; in a word, it can be said that the Congress of the republic was the supreme power (*poder omnimodo*) in the whole nation. . . . Having in mind that, should we become independent, we would have for a long time an oligarchical republic in which the military element, which is ignorant as a whole, would predominate, in order to check this oligarchy, I preferred to neutralize it by an intellectual oligarchy, since Congress was composed of the most intellectual classes of our country. This is the reason why I conferred upon the

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legislature such ample powers, not only in the field of legislation but also in the supervision of the executive and judicial branches. In a word, between the two oligarchies, I preferred the intellectual oligarchy of the many to the ignorant oligarchy.[1]

Were a constitution to be drafted today by a Filipino constitutional convention, it is most unlikely that certain features of the Malolos constitution would be revived. Certainly a unicameral system would not be established and it is to be doubted if the sober sense of the Filipinos would favor the confiscation of religious property. The Malolos Constitution, consequently, is now principally of academic interest, as a phase in Philippine constitutional development, and as an indication of a Filipino conception of democratic institutions.

In doing justice to the Malolos Constitution one need not agree with the fulsome eulogy accorded to its framers by even so eminent an authority as Senator Hoar, who said, "there are not ten men on the planet who could have made one better". It should always be remembered, in judging its merits and demerits, that it was intended to be provisional, was drafted by men inexperienced in grave constitutional problems, and was flung together in a time of storm and stress. Moreover, in order to do the constitution justice, it should also be recalled that many provisions which to the American observer seem strange, to the Filipino were natural and fitting. After all, the constitution did conform to many of the tests of a good constitution, and it is to be presumed that it did faithfully portray the aspirations and political ideals of the people. Perhaps we can do no better than to conclude, as did the leading Filipino student of the Malolos Constitution:

> In spite of the circumstances which then existed, when it seemed as if nothing could stand, when everything was tottering on its foundations, when the very secular institutions and all that most respected the past was threatened with death and destruction, it was yet possible to frame

[1] Calderón, Mis Memorias sobre la Revolución Filipina, pp. 239–241. Mabini, although of the opposite party, reaches much the same conclusion in his Political Trinity. As to the unicameral system and the permanent commission, see Kalaw, La Constitución de Malolos, pp. 22–27.

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with serenity and rectitude a constitution which was logical, rigid, formal, alone in its class, a beautiful and imperishable document which constitutes, according to the Message of Aguinaldo, 'the most glorious token of the noble aspirations of the Philippine Revolution and an irrefutable proof before the civilized world of the culture and capacity of the Filipino people for self-government", a constitution which established—one is forced to admit—in spite of its being provisional, the first democratic republic in the Orient, for even the Japanese constitution of the year 1889 can not be compared favorably with the provisional Constitution of Malolos.[1]

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MANILA, P. I.

[1] Kalaw, La Constitución de Malolos, p. 33.

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THE SENTIMENT OF NATIONALISM[1]

THE experiences which an individual has with the group in which he is born or in the midst of which he lives, are experiences either of well-being or of ill-being *because* he is a member of that group. Traditions and doctrines concerning the group become a part of the individual's mental make-up, and therefore of his experience, through the process of education in the larger sense. These experiences become organized into a system with the group as the central object. The ordinary emotions and instincts become attached to them, mildly or intensely, according as these experiences are deep and tumultuous or merely superficial and passing. Under proper conditions, this system so organized may show itself in behavior as an agitated and agitating concern with the life and honor of the group. When this agitation is more or less chronic it becomes the sentiment of nationalism.[2]

[1] At the risk of appearing too classificatory and pedantic, I give here a number of definitions of terms connected with the subject under discussion, used so frequently and yet so indiscriminately by the social sciences. Would it not be a good idea to have a sort of Nicene Council on the terminology used in connection with the social sciences?

People: A group of individuals who by means of similar language, folkways, and institutions are able to communicate with each other directly and easily.

State: The formal political and military organization of one or more peoples.

Nation: The formal political and military organization of one people. A state need not be a nation. A nation must be a state.

Nationality: The attitude toward one's people engendered by having ideas concerning its welfare, its honor, and its position among other peoples.

Nationalism: The militant attitude of defense and agitated and agitating concern for the life and honor of one's people in case it is realized that they are in trouble due to the actions of another people.

[2] "Mental activity tends . . . to produce and to sustain organization. . . . Those greater systems the character and function of which is to organize certain of the lesser systems of emotions by imposing on them a common end and subjecting them to a common cause . . . we shall call 'sentiments' to distinguish them from the lesser systems of the emotions. . . . Every sentiment tends to include in its system all those emotions that are of service to its end, and to exclude all those which are useless or antagonistic." Shand, The Foundations of Character, pp. 21, 49–50, 62.

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This chronic agitation assumes a correspondingly chronic provocation and the workings of the sentiment of nationalism cannot be understood except in the light of this provocation. What makes this provocation sure of a response is not only the provocation itself, but the whole attitude of animosity toward another group, historically developed and maintained by a process of education. The attack upon the group not only meets with a specific response, but also selects out of the experiences of the individual such as will enable him to respond more promptly and more impetuously. There are then two elements which are responsible for the character and intensity of the nationalistic response: the intensity and fullness of the attack on the individual as a member of a certain group; as well as the whole set of previous experiences of other attacks and responses, or the knowledge of such attacks and responses. The nationalistic response will vary then according to the intensity of the attack on the individual himself, according to the intensity of identification of the individual with the group, according to the extent of the individual's memory of previous attack-defense situations.

Every group has experienced series of events which have led it to regard some other group as competitor, aggressor, oppressor, plunderer, defiler, enslaver and destroyer. So many of the earliest contacts between groups having been contacts of conflict, owing to the manner in which these groups get their food supply, every other group is looked upon as a potential enemy. In that way is formed the groundwork of the attitude of hostility and suspicion which will permit the further erection of the structure of animosity.

The attitude of group hostility receives its greatest help in the shape of the rise of a military and leisure class and the appearance of martial virtues. From the leader in warfare and his immediate assistants there springs a class whose business is the death and destruction of another group. Its actions become models for all the group to imitate. Around it there gathers a host of admirers and flunkies who flatter it and recite its deeds of valor—that is, of murder and rapine. The great emotional excitement which goes with any violent and dramatic

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effort becomes associated with war and deeds of a warlike character and makes them pleasant to perform and to celebrate in song and story. From generation to generation there is transmitted this body of tales of animosity and destruction. What the imagination so roused fails to accomplish in hostility toward other groups, is made up by that "dialectic of personal growth" which makes the young always choose for their prototypes individuals of a minimum of reason and a maximum of violence. With the creation of a leisure class, which grows out of war, the circle is complete: since war is responsible for its appearance and maintenance, this class will see to it that group animosities are kept at par, so that wars shall not perish from the earth. One has but to glance at the make-up of any given culture to realize the enormous importance which animosity plays therein. The simple peasant has animosity in his songs and ballads, the sophisticated has it in literature and art, tale and poem, martial music, paintings of glorious military deeds, statues of military heroes. All these form so inextricable a part of the general scheme of culture and folkways that in the mind of the most untutored the seed is planted for the simple conclusion: stranger means enemy.

The identification of the individual with his group needs no particular instincts to account for it. Through face-to-face contact and common experience, one individual forms the same sort of mental impression of other individuals as he does of any familiar object. One can be as interested in his group as he is in the trees in his garden. The fact that human beings have more of an active give-and-take character in their contacts will naturally give them a more prominent place in anyone's experience of them. What lies at the bottom of nationalistic behavior is not interest in the other members of the group, but solidarity in repelling a common enemy. It is not so much sympathy with one's fellows as hostility toward the outsider that makes for nationalism.[1]

[1] It is of interest to note in this connection that the sympathy with one's group carries with it its own limitation. Face-to-face contact being limited, the size of the group that one can be spontaneously interested in is also limited. The phenomenon known as "campanilismo" among the Italians, the devotion to one's village camp-

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Turning now to the specific groups which exhibit nationalistic behavior, we find that most of them show two distinctive characteristics. The first is that they have had the experience of a master-and-serf situation. The peoples of the Balkans and of Eastern Europe have gone through a period of subjugation to a foreign, more warlike group. The taboos which come into existence in such a contingency and the strict division between the two groups in all the affairs of life lead to a definite assumption on the part of the master that he is naturally superior. The conqueror deprives the conquered of most of the means of decent living and the latter thereby sinks deeply into poverty and misery and all the habits that go with them, habits so obnoxious to the rich and refined conqueror, that they seem to demonstrate all the more conclusively the inferiority of the subject people, thus justifying the exploitation of the conquered by the conqueror. Again, since the two groups usually differ from each other in religion, language, customs and costume, the notion of "we" and "they" on the part of each of the two groups toward each other will be added to the feeling of hostility already present—the emotional remnant of past conflicts. This situation between a foreign master and a native serf is the typical nationalism-producing situation. When one passes in review the centers where extreme nationalism is most rampant, one will find the presence of just such a state of affairs, although more or less disguised and attenuated according to the historical situation. The second characteristic is, that all nationalistic peoples are exposed to a régime of subordination and special disabilities with regard to their life or their honor, or they are afraid of the imminent approach of such a régime.

Accordingly, we can divide the nationalists into four groups or types. The first I am inclined to call oppression-nationalism. It is the system of reactions which is found to prevail in a group the members of which are exposed to a definite and clear-cut

anila, village interests and village members, indicates more nearly the extent of original patriotism. To this must also be added Barrès's formula, "*la terre et les morts.*" In primitive groups there is in addition to this localism the fact of kinship, which accounts for group solidarity. All these and not a fictitious "gregarious instinct."

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régime of disabilities and special subordination. These disabilities usually constitute an interference with the life of the group, and they embrace: efforts to deprive members of the group of the freedom to engage in all legitimate channels of economic enterprise and of making a living, unless they desert their group and join the ranks of the dominating and oppressing group; refusal to grant them full participation in the political and administrative life of the community; an attempt to prevent them from employing their own language and developing their own "culture"; a predilection to humiliate them on every possible occasion and a disinclination to receive them on terms of social equality when other merits entitle them to such a reception; and, lastly, constant interference with their freedom of speech and all forms of public expression and movement as well as a policy of ruthless repression of any attempt to state their grievances in public, at home and abroad. Until quite recently oppression-nationalism was conspicuously exemplified by the Poles in Germany and Russia; the Czechs and Slovaks in Austria-Hungary; the Rumanians in Hungary and Russia; the Ruthenians in Russia and Galicia; the Croats in Hungary; the Bulgars and Serbs of former European Turkey (Macedonia); the Greeks, the Armenians and other peoples of the Turkish Empire as well as groups such as the Jews and the Irish. Needless to add, in some of these instances it still persists.

The second type is that properly called "irredentism". It includes such groups as the Italians, the Rumanians, the Serbs, the Bulgars and others who are so circumstanced that large numbers of their own people are under the domination of another group. The irredentist finds a stimulus for his activity either in the sufferings of his kind or in the unstable international relations which, in a system of balances of power, make it possible that a slight jar will deprive his group of its freedom and put it in the same class with its oppressed part. In the same category may be placed those groups which fear the loss of a recently acquired independence. Although irredentism is usually more vociferous than the nationalism of the oppressed, the reasons for it are to be sought not in its greater

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intensity but elsewhere, namely—in the greater freedom to express himself which the irredentist has as over against the limitations imposed upon the oppression-nationalist; and also in the fact that irredentism is often made a domestic political issue with the attendant journalistic pomp and circumstance.

A third type may be called precaution-nationalism. It responds to the stimulus presented by the competitive organization of the modern state-system as well as by the identification of commercial expansion with the interests of national security and of general national well-being. At a given point, this precaution-nationalism is difficult to distinguish from imperialism, just as the principle of the offensive-defensive in warfare is difficult to distinguish from the principle of the simple offensive. The precaution-nationalist sees danger arising from one source or another and this gives rise to his agitated concern with the life or honor of his group.

And, finally, there is prestige-nationalism. It finds its stimulus in the attitude of contempt or of insufficient esteem with which the nation may be regarded, when, in its own estimation, its past achievements or its present unrealized possibilities entitle it to a greater respect and consideration. This includes as its most conspicuous examples today: the French nationalists supporting the "*Action Française*"; the Italians of the "*Idea Nazionale*", under the leadership of Corrandini as over against the earlier irredentist type under the leadership of Sighele; the Germans; and perhaps also the Magyars.[1]

In response to these stimuli, the nationalist becomes concerned for the life and honor of his group and begins to agitate in order to repel the attacks or forestall a possible attack. In human nature, the instincts of fright, fear and anger usually take care of a situation involving an attack or the fear of one, by prompting the individual to run away or to seek another person's aid or to turn on the pursuer. But in the complicated situation in which an oppressed group finds itself, all this be-

[1] It is not to be understood that the classification in fact preserves the clear-cut appearance here indicated. The various types overlap and it is more accurate to say that nearly all types of nationalism present about the same characteristics, but in different combinations and with different emphasis.

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comes sublimated into a whole set of specific actions called nationalistic behavior, just as under other circumstances a reaction to an attack would mean war. Running to other people will take the form of appealing to the forum of public opinion, trying to get other people interested in their fate and asking for help and support. Turning on the pursuer will become a whole scheme of nationalistic politics and philosophy. Realizing that it is hopeless to present a simple front of antagonism and pugnacity to the oppressor, one resorts to subterfuge and subterranean machinations. The oppression-nationalist feels the first need to be the strengthening of the economic status of his group in order that it may have the primary elements necessary for resistance to the denationalizing sabotage of the oppressor. Then he tries to strengthen the self-confidence of his people. He holds up before them the story—partly historical and partly mythical—of their origin and vicissitudes. Their attention is called to their glorious past, to the times when they have successfully withstood other and similar attacks or when they have even dominated the oppressing group. They are told that in reality they are superior to the oppressing group: their language is more harmonious, their customs are more beautiful, their habits saner, their appearance more prepossessing, their intelligence greater and more alert. They are told that they are the descendants of a noble and superior stock and that they have a special mission to perform for the good of all mankind and that consequently they must keep themselves ready to fulfill their manifest destiny. In the realm of culture, the nationalist insists on the cultivation of the group language and group history, the artistic manifestations peculiar to the group, the animosities and sympathies of the group. Politically, he is intent on the achievement of national independence by his group, or on the emancipation of "unredeemed" fragments of his people. He maintains, finally, the notion of the unity of the group as over againt class stratifications. (Yet the connections between nationalism and socialism present some unexpected turns.)

The irredentist and the precaution-nationalist present many reactions similar to those of the oppression-nationalist. But

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these reactions and the stimuli which produce them belong more in the domain of international politics. Within that domain life and death hang on one's ability to hold his own or gain an advantage over the other fellow. Balance of power being the stimulus, *Realpolitik* is the response. In so far as this type of nationalism is honest and in so far as the connection between the interests of the group and *Realpolitik* is believed to be a true one, it will be seen that the element in the original nature of man to which the appeal is made is again the instinct of fear. If the oppression-nationalist is afraid, the irredentist and precaution-nationalist is anxious; the one responds to danger, the other to the fear of danger. Magyar nationalism pretended to be afraid of Panslavism and Russian domination and (recently) of Pangermanism and German domination. The German nationalists said that they were afraid of the French "*revanche*" and of Russian hordes behind the Panslav agitation. French nationalism was frightened at the growth of a German power animated by Pangermanism. Rumanian nationalism was afraid of Magyarization and eventual absorption into the Austro-Hungarian monarchy; it also regarded with anxious eye Bulgarian aspirations to the hegemony of the Balkans as well as Panslavist schemes of domination in the Balkans. Serbian nationalism was apprehensive lest the Magyars, in order to put a stop to Jugoslav agitation in Croatia and elsewhere, should carry their machinations to the point of destroying Serbian independence. Italian nationalism was afraid of Austro-Hungarian supremacy in the Balkans and, consequently, in the Adriatic. And so on down the list. The nationalist need not make clear to the average man what will happen to him in case Pangermanism or Panslavism or the French revenge or any of the other perils should materialize. The average man has in his bosom a pretty definite sentiment toward the foreigner, and that sentiment will produce hate and fear as intense as the nationalist agitator could desire.

The reactions of the prestige-nationalist will depend on the conditions which at any given time determine what shall or shall not be deemed honorable and worthy of esteem among nations. At the present juncture, ability to control foreign

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territories and peoples as well as to interfere in the affairs of others—in a word, world-power—being the standard of national honor, the efforts of the prestige-nationalist will be directed toward getting as much of that commodity as possible. His country must win for itself "a place in the sun". France is perhaps the most conspicuous example of the pure type. What grieves the French nationalist is that France is no longer, in the eyes of the world, the France of Louis XIV, respected because feared, mistress of the battlefield, law-giver, arbiter and pace-setter. Instead of that, France seems to have sunk, as he sees the situation, to the position of a Beau Brummel among nations, a dictator of fashions and fads, of fine arts and amusements. French nationalism pretends to see the cause of this "decadence" in the baneful effects of foreign influence and calls upon France to become once more her true self.[1]

The Italian nationalist of the prestige type, curiously enough, wishes to get away from the past. He resents the fact that Italy is still the land of the romantic honeymooners, rhapsodic tourists, benevolent archæologists and well-intentioned but effete artists. He wants you to look upon Marconi, not Michelangelo, as the great Italian, and a six-shooter is more beautiful to him than the Sistine Chapel. He wants power, for he knows that all this artistic and romantic glamor can be added unto him later if he has the wherewithal to pay for it. The position of the Italian prestige-nationalist is simply this—he feels that Italy is entitled to a position of greater honor and more power and control in the affairs of the world than she seems to be occupying, and he is setting about to remedy this situation by insisting either that the other nations recognize Italy's "just claims" or that she take matters into her own hands by preparing her population and her army to force such a recognition.

This concern with the honor and estimation in which the

[1] It may be said without exaggeration, that the program of the Slavophils of the early nineteenth century—"autocracy, orthodoxy and the village community"—fairly well describes the ideal of the French nationalists who today look for the "regeneration" of France in the reestablishment of the monarchy, Catholicism and a mythical French peasant.

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group is held is one of the most strident characteristics of all types of nationalism. In the case of groups who are under domination of others, one of the most galling things to the subordinated groups is the contempt in which they are held by their masters. They are excluded from contacts of a social character, marriage with one of them is considered a *mésalliance*, their blood is considered as being less pure than that of the masters and they are generally made to feel that there is nothing good about them except their labor as hewers of wood and drawers of water.

That the subordinate population resents this disdain is of course to be expected, and one need not go into elaborate psychological explanations of the reasons for resentment. It is found in all individuals when their standing among their fellows is in question. Perhaps it may best be taken for granted until psychology is able to tell us more about it.[1]

If we remember that there are ways by which an individual makes his own the vicissitudes of the group to which he happens to belong and that, in his psychological mechanism, he substitutes the group for himself in so many cases, we can understand, I believe, how he may become solicitous for the prestige of the group and how he may get to feel slights to his group as intensely as slights to himself.

In so far as groups are concerned, it is a fact of common notoriety that small nations are more sensitive as to their honor than big nations, and those newly arrived on the scene of international affairs are more concerned about their position than those who have held such a position for some time. Further-

[1] My own conjecture in the matter is, that it is not an original tendency but one derived from others or a combination of others—fear, perhaps, and sex. Out of fear there may grow a desire for prestige, because prestige means the ability to attract attention. Given a situation where an individual is dependent upon others (and situations of this sort have not been scarce in the history of the psychological development of man), failure to attract attention means helplessness and exposure to serious dangers. Out of sex a strain of influence may come as part of the mechanism of sexual selection. The ability to attract attention by means of some special attribute, by the presence of any characteristic which makes the individual conspicuous and enables him to show off, is helpful in the struggle for satisfaction of the sexual instinct. That these two tendencies to attract the attention of other human beings should coalesce into one is nothing new.

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more, nations fallen from their former high estate are more concerned lest they be slighted than are those which have been more successful in the race for power. The realization of an inferiority on the part of these less fortunate nations seems to make them more sensitive, and the consciouness that they have something to hide or to be ashamed of makes them pathologically eager to cover up what they have to hide with a brave show of pride and glory.[1] Nothing is more genteel than shabby gentility and nothing prouder than false pride. It would seem that a morbid concern about the prestige of one's nation goes with a feeling of weakness or a consciousness that other people think it inferior. Much of the nationalist's activity is taken up with efforts to make his own people and everybody else think differently.

Our understanding of the nature of the nationalist reaction gains enormously by distinguishing between the different types of nationalists. It is a grievous mistake to speak as if nationalists were all alike in their behavior and attitude. Social and occupational stratifications give us different responses to the different stimuli which provoke nationalism. Take as an illustration a case most familiar to the writer, the case of Rumanian nationalism in Hungary and Rumania. When, for example, a certain group is confronted with the situation of being compelled to speak Magyar rather than Rumanian on pain of not receiving appointments in the administration, or not being permitted to stand for parliament, or not getting justice before a court, or not being allowed to run a newspaper and print books, or being unable to deliver and attend lectures, or not being permitted to organize singing societies, or not being allowed to listen to religious services in Rumanian, or not being

[1] The little principalities of the Balkan Peninsula show an almost morbid fear lest they be disregarded by the rest of Europe. Cuba maintains a legation in Washington which can easily put to shame the unimposing habitation of the representative of the King of Great Britain and Ireland and Emperor of India, not to say a word about our own legations in foreign parts. Cuba knows that if her legation were anything less than what it is, and more in keeping with what she can afford, people would say that it was just like Cuba, but if Great Britain houses her ambassador in a barn, the prestige of Great Britain suffers not at all.

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allowed to have reading circles, or not being permitted to open a bank or buy land except with the greatest difficulties, or being dispossessed of one's land on a flimsy pretext—to any one of these stimuli the reactions of the various types and classes of individuals which make up the group will naturally vary.

The peasant, as should be expected, cares comparatively little whether the publication of Rumanian books and newspapers is prohibited, or whether he is permitted to give and attend lectures. He cares little more whether a Rumanian or a Magyar represents him in parliament, or whether his child cannot get schooling except in Magyar, because the peasant has no very high opinion of the value of schooling except as a means of obtaining public office and escaping work. He cares much more if he cannot get justice in court unless he secures a Magyar interpreter, because no one feels that he is being treated fairly when he is tried and convicted in a language which he cannot understand. He cares most of all if his land is taken away from him and given to a Magyar colonist, because that touches him in the most vital spot. It was not by accident that the Rumanian leaders solicited the peasant's support in their nationalistic campaigns chiefly on the basis of his economic disabilities. Not that the peasant is devoid of the notion of the honor of his group—he feels it, but as long as there are other more serious things to worry about he will give it very reluctant attention. As to the world of political and international relations, the whole business is like the buzzing of a swarm of flies about his ears. He lets the "gentlemen" bother their heads about such matters. When the village politician tries to tell him something about them he scratches his head, orders another drink and forgets them. Sufficient unto the day is the evil thereof.

Yet it may be asked, if they occur in response to stimuli connected most closely with economic life, how are the reactions of the Rumanian peasant in Hungary any different from those of the Magyar peasant who may be equally disadvantaged economically? The reactions cannot properly be called nationalistic unless the peasant learns to connect his economic ill-

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being with the fact that he is a Rumanian rather than a Magyar. When he feels that he can better his economic status by being a nationalist, he will do so. More often he will give in and become denationalized rather than have all the trouble which goes with being a Rumanian. This is such a notorious fact that the nationalist leaders have been seriously alarmed and have been doing their utmost to assure the peasant a sufficient degree of economic support in order to prevent him from surrendering to the denationalizing forces. Yet it takes pretty strong pressure to make a peasant give up his nationality, because it takes pretty strong pressure to make a peasant give up any of his old ways of living and doing. The number of Rumanian or Polish peasants who have yielded to these denationalizing influences is as small as it is, because kinship with his group, so much stronger in the semi-primitive peasant, is enough often to restrain the weak and give him courage to share the common fate. For when he submits to denationalization he is a deserter, hated by his old associates and suspected by the new,—and that is a most unhappy lot.[1]

The industrial worker is a less significant factor in the nationalism of east-central and southeastern Europe. In most cases he has but recently left his native village and his outlook is little different from that of the peasant. An exception must be made in the case of the industrial workers in some Polish regions where their competition with the Jews makes them quite nationalistic and anti-semitic. The Jewish workingmen, although not drawn from peasant stock, present in the main the same attitude toward nationalism as the peasants, with the additional complications caused by their religious differences. As regards irredentism, the worker's attitude varies with the oscillations of the success of various internationalist doctrines among the urban masses. Being industrialized and more addicted to the reading of newspapers, he will be found to have a good

[1] That in many instances Magyar colonists settled in the midst of Rumanian peasants have become Rumanians, just as many German peasants settled amidst Poles have become degermanized, is easy to understand. A single Magyar or German in a mass of others will soon have to learn the ways of the others if he would not lead a solitary and lonely life.

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deal more information on national and international matters than the peasant possesses, and naturally he will hold some more or less definite opinions. It is to be expected that he can be appealed to on the score of the vicissitudes of his co-nationalists, but the response will be lukewarm, except in the case of the professional street agitators and mob-men, many of whom are recruited from among the city workers and hoodlums. There are variations, of course, on this general theme according to conditions in the different countries, of which we cannot now take account.

The middle class, shopkeepers and lower officials and the better-paid workmen, vary in their attitude from the violence of the lower official—who is always complaining that because of his nationality his salary or his rank is not raised—to the conservative circumspection of the shopkeeper who has to steer a middle course because his customers are recruited from the two groups, his own and the dominating group. He is usually bilingual, and as he reads little the absence of newspapers and books in his own language will bother him little. The absence of schools will concern him more seriously, since he usually has a shrewd notion of the value of schooling as a means of getting on in the world and is eager to give his children a good education. He will therefore not be averse to sending them to the denationalizing school, relying upon supplementary education at home to neutralize anti-national influences and to keep his children within the fold—an object not always successfully attained. By skilful manipulation he manages to get out of tight corners, often contributing financially to both the cause of his own people and that of their enemies, for business reasons and because one cannot afford to be at odds with the authorities. I have seen most violent anti-Jewish lecturers paid out of the proceeds of tickets sold to Jews by the sponsors of the lectures, these sponsors being officials or perhaps good customers of the Jewish merchants. In the main, the middle-class shopkeeper does not see what the whole fuss is about and with a worldly-wise air he shrugs his shoulders over the happy lot of some people who are so well off that they can afford to waste their time and money on foolishness. But, Jehovah is great and his ways are beyond understanding!

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The upper class, the large landowners, bankers, manufacturers and high officials, react in yet a different manner. The high officials, being more or less political functionaries, will frame their attitude according to the political exigencies of the time. To the extent that they are intellectuals, they will share in the response of other intellectuals; to the extent that they are men of means, they will go with the other members of the upper class. The manufacturers and bankers will be guided, in so far as they consider it necessary, by financial and business interests. The wealthy Italian manufacturers are nationalists because they regard a strong military policy as being "good for trade", just as did the German nationalists before them. This is true of the irredentist groups. The groups under domination possess few members of the upper class. The moment one acquires a fortune he is apt to abandon his group and throw in his lot with the dominating group, for the reason that his group, being poor, is no credit to him. He intermarries and is soon lost to his group. Often enough he espouses the cause of his former enemies. There are exceptions, but they are few. When one considers the fact that an East-European landowner looks down upon his peasants as so much cattle, it can be conceived that he will hardly be much interested in their cause. There are, finally, those who have tried to go over to the dominating groups, and have been repulsed, and those who are trying to enter the field of politics as spokesmen of their people and who actually feel or pretend to feel with them and share in their attitude and behavior. But these also are few.

In the main the members of the upper class are more cosmopolitan than national. They prefer, or affect to prefer, to speak French rather than the language of their group; hence language restrictions do not affect them. Their "culture", if they pretend to any, is of the French-novel type, altogether too loose and "universal" a thing to concern itself with the cultural struggle of their own people. They are economically too independent to be much troubled by the economic disabilities of their own group. They get their prestige in so many other ways, and they feel themselves so much superior to the masses

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of their own people, that they hardly apply to themselves the slights suffered by their fellow-nationalists. Moreover, the dominating group, by a system of absorption, snuffs them out as fast as it can. In fact this tendency has been so alarming, that some groups, like the Poles, have taken decisive steps to remedy it by means of a definite organization with stringent regulations to keep the straying sheep within the fold.[1]

And finally the intellectuals. They are the cornerstone of any nationalistic structure and it is not difficult to see why. They are the ones who write books, who publish papers, who teach school, who conduct reading-circles, who arrange or deliver lectures. They have administrative and political aspirations. Consequently the whole system of repression and coercion which is the stimulus to nationalistic agitation hits them first and hardest. Furthermore, their sentiments in matters of national culture are highly developed, culture being their concern and chief interest. Present miseries weigh more heavily upon them to the extent that they can look back upon past glories, true or fictitious. They also have thoughts about the nature of group life and they are familiar with the balance of forces and events which, under the conditions of international relations, may tend to exterminate their group, or to exalt it. They see, or think they see, the purpose behind these disabilities as an attempt to annihilate their nationality. The life of the group as a distinctive unit with characteristics which only they know and have thought about, means a great deal to them. They are in the front-line trenches and the brunt of the battle falls on them.

And here an interesting phenomenon may be observed. Temperament and the fear-anger mechanism select from among them. Some respond in the way of anger—they are the martyrs. Some respond in the way of fear—they leave the fold, adopt the culture of the oppressor, turn away from their kind and look down upon them as the benighted who still live in dark-

[1] The Polish situation has so many other angles which explain the presence of the Polish noble as a nationalist leader, that this is not the place for a thorough discussion of it.

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ness. It is so much easier to do that, since their own group, being a minority group, and poor, supplies them with but little cultural companionship. The dominating group being larger and, by virtue of its fortunate position, more advanced, furnishes more cultural interests to the intellectuals than the subordinated group. International ideals have some effect. The fear-type intellectual seeks admission into the citadel of the enemy because it represents light and freedom. Sometimes he is admitted outright, sometimes on probation, sometimes not at all. When he is admitted the ordeal is not over. The hospitable group has itself to reckon with another bit of human nature. He is a stranger, and, what is more, a runaway stranger. As long as affairs proceed smoothly he will never be made to feel it; but let there come the slightest storm, and it appears that he is but an interloper, a stranger painted with familiar colors, a renegade. The sensitive person, and the fear-type is apt to be sensitive, lives in constant dread lest just such an emergency may occur. When it does occur not infrequently he regrets his false step, returns penitently to his own group, and becomes a bellicose nationalistic agitator of the most virulent type. A similar experience falls to the lot of him who is admitted only on probation, or is not admitted at all. In either case he returns to his own people and is the more nationalistic because of his humiliation.

There is further the case of the intellectuals who have become stranded amidst gusts of devastating doctrines and have lost their hold upon the old preconceptions without acquiring any new ones. The safety-type among them is distressed and casts about for a sheltering loyalty. Devotion to the group is the thing which does the least violence to their intellectual honesty and presents the most suitable combination of safety and adventure. Furthermore, individuals of this type being recruited usually from the ranks of literary men, nationalism permits them the desired amount of romantic rhapsodizing about the past and metaphysical speculation about the future.

The list is not complete without the mention of another group. It is made up of the parasites of nationalism. It cannot be otherwise than that those human emotions which can be

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appealed to will be appealed to by those who expect private gain thereby. And so it is with nationalism. There are those who find that by arousing the emotions and the sentiments connected with the group, they can gain position, power and wealth. They are the professional nationalists. In countries where democratic government exists but in form, one of the safest and easiest roads for those to travel who have "the will to power" and nothing else, is to make use of nationalism as a means of obtaining political advancement. Like false watchmen, they sound the cry of warning in order that they may be entrusted with the office of warding off a danger, which they and they alone pretend to see coming. In the complicated maze of European international relations, where diplomatic secrecy is mother to many and wild rumors, rumors which cannot be ignored and of which it would seem the part of wisdom to take some account, there flourishes the nationalistic politician, who pretends to know what is good for the nation at any given moment. Few can dispute with him, because few know what is behind his pretended information. Many measures urged or opposed by him are surrounded with a mystical cloud of "the good of the nation", and few there are who have the courage to break through it and expose the dark and sinister motives concealed behind the statesmanlike phrase. As long as fear and the quest of prestige prevail in international relations, the nationalistic politician will not have to transfer his endeavors to other fields of adventure.

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REVIEWS

The Group Mind. A Sketch of the Principles of Collective Psychology with some Attempt to Apply them to the Interpretation of National Life and Character. By WILLIAM MCDOUGALL. New York and London, G. P. Putnam's Sons, 1920.—xxii, 418 pp.

On page 139 of this volume Professor McDougall writes:

> It is not sufficient for the historian and the political philosopher to be willing to recognize the mental factors in the phenomena with which he deals. It is necessary to recognize that these factors are of overwhelming importance and that they cannot be satisfactorily dealt with by the aid of the obscure and confused psychological concepts of popular thought and speech. We must recognize these political problems for what they are—namely, psychological through and through, and only to be attacked with some hope of success if we call to our aid all that psychological science can give us. This conclusion can not fail to be unpalatable to very many workers in this field; for it implies that equipment for such work demands some additional years of preparatory study.

In the light of this invitation—not to say admonition—the author may not take it amiss that comment upon his work should be ventured by one who though not a psychologist is nevertheless much interested in political problems and therefore in the group functioning of what we commonly call democracies.

Approximately one third of this study, if the introduction be included, is devoted to the "general principles of collective psychology", another third to "the national mind and character", and the concluding third to "the development of the national mind and character".

Quoting from his *Psychology, the Study of Behavior,* the author defines a mind as "an organized system of mental or purposive forces" and declares that "in the sense so defined every highly organized human society may properly be said to possess a collective mind" (page 13). "The individual minds which enter into the structure of the group mind at any moment of its life do not construct it" (page 14). It nevertheless "consists of the same stuff as the individual minds, its threads and parts lie within these minds; but the parts [of the group mind] in the several individual minds

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reciprocally imply and complement one another and together make up the system [the group mind] which consists wholly of them [its parts]" (page 15). That is to say, the whole is equal to the sum of its parts; but it is probably not to say that the group mind consists of, is in fact the sum of, parts of the minds of the individuals involved. Such a conclusion nevertheless seems logical; for since the parts of the group mind "lie within" the minds of individuals, and since the group mind is manifestly not a sum of the totalities of individual minds, the parts of the group mind must also be parts of the minds of individuals. Even so, the author would doubtless vehemently repudiate any such deduction as this. For to admit that the group mind consists of parts of the minds of individuals would imply that each individual operates his own part of it, that the thinking, willing, feeling and acting of the group mind are after all but the sum or resultant of individualistic processes. It would imply, in other words, not much more than that the minds of individuals are profoundly affected by group association. Needless to say this is an undisputed commonplace that would scarcely constitute a justifiable premise for four hundred pages of elucidation and application.

The author's concept is something far more mystical. This collective mind is a self-operating entity. By some strange alchemy it gathers into unity its parts lying in the minds of individuals and apparently becomes itself a being. "Does the system so created think and will and feel and act?" asks a none too friendly critic. "My answer, as set forth in the following pages, is that it [the collective mind] does all of these things" (page 14).

Difficult as it may be to subscribe to so metaphysical a concept as this, one is scarcely prepared to learn a little later on that the existence of collective consciousness has not been proved. "We may, then, set aside the conception of a 'collective consciousness' as a hypothesis to be held in reserve until the study of group life reveal [*sic*] phenomena that cannot be explained without its aid" (page 55). Now most straight-thinking psychologists would doubtless admit that there is a fairly accepted connection between the concepts of thinking and of willing on the one hand and the concept of consciousness on the other. But the collective mind which we are told thinks and wills and feels and acts is, it appears, unconscious. Are we then to understand that the collective mind of the highly organized group, such as an army or a nation, performs its thinking and willing, its feeling and acting in a subconscious or dream state? Is this a Freudian interpretation of group psychology? This question

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is nowhere clearly answered. At one point the author does refer to "that unfortunate and still prevalent way of thinking of the psychic as identical with the conscious which has given endless trouble in psychology", and he deplores the attempt to "to describe the structure and organization of the mind in terms of conscious stuff, which is sometimes, though perhaps not always consciousness, and mental structure which is not" (page 20). But no emphasis whatever is put upon this distinction in the course of the author's discourse. On the contrary when he comes to the application of his "principles" to the national group it is again and again apparent that, unless he has inexcusably abandoned precision of terminology for popular connotation, he is speaking either of a collective consciousness or of phenomena that are by no means manifestations of the group mind as he has attempted to define it. One or two examples will suffice.

"New modes of national behavior are only effected when the attention of the national mind is turned upon the situation" (page 205). Assuredly this turning of attention is a mental activity and not a structural change in the group mind. Is it an unconscious activity? Or again, "there is formed some special executive organization . . . which . . . operates in the margin of the field of consciousness of the national mind" (*ibid*). Is this field of consciousness unconscious?

Consider, on the other hand, the author's concept of national self-consciousness, of which he has much to say. "The national mind becomes more completely integrated in proportion as it achieves full self-consciousness, that is, in proportion as the idea of the nation becomes widely diffused among the individual minds" (page 206). "It is only in so far as the idea of the people or nation as a whole is presented to the consciousness of individuals and determines their action that a nation in the proper sense of the word can exist or ever has existed" (page 217). Perhaps few persons would be inclined seriously to cavil with views such as these. But since the author is meticulous to identify "national self-consciousness" with the consciousness which individual minds entertain of the idea of the nation, such views have nothing whatever to do with the super-individual collective mind which he seeks to define. So used the term "national self-consciousness" is merely euphemistic.

The study of the psychology of individuals in group association (or of group psychology, if in fact there be any difference) is a field of research admittedly as difficult as it is important. Obviously it does not lend itself readily to laboratory methods. No doubt it

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will be always largely speculative in character. Even so, one is warranted in expecting from the specialist in this field a fairly exhaustive exercise of the faculty of speculation, a severely critical attitude toward alleged facts, and a cautious precision of language. Professor McDougall's work does not exhibit any of these qualities. His chapters expounding "the general principles of collective psychology" contain much that is familiar to many and much that is questionable to not a few.

For example, he states: "It is a notorious fact that, when a number of men think and feel and act together, the mental operations and the actions of each member of the group are apt to be very different from those he would achieve if he faced the situation as an isolated individual" (page 31). If this means merely that the individual's thoughts, feelings and actions are affected by the physical presence of the group, by what other individuals say and do, and by his own contemplation of the group and of his own relation to it, this fact is probably indisputable. By reason of the group environment the opinions of the individual may be formed or changed; his sense of personal responsibility may be weakened or quickened (more often weakened, no doubt); he may lack the time or the repose required for the best operation of his mental faculties; he may yield his judgment recognizing the necessity for compromise; he may express less or more or other than his actual thoughts; he may vote or otherwise contribute to the action of the group in a manner in which he would not act upon the subject in hand individually; he may even think that the group should act in a way in which he himself would not act. But that is only to say—what no one would deny—that the environment of group association exerts an influence, sometimes very powerful, upon individual mental processes. So also does the environment of the printed page; so may the environment of a single associate. If the author means more than this, as he doubtless does, this "notorious fact" is probably not a fact at all, however notorious.

Professor McDougall has a curious penchant for using in his definitions terms of etymological identity with the term to be defined. Not only is a "mind" a system of "mental" forces; but a nation is likewise "a people . . . possessed of a national mind and character, and therefore capable of national deliberation and national volition." This is "the answer to the riddle of the definition of nationhood . . . found in the conception of the group mind" (page 141). What could be more enlightening? By reasoning in this

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fashion "we are getting far away from the old-fashioned conception of psychology". (True enough.) We are creating an "empirical science which shall take the place of" that branch of speculative philosophy known as the Philosophy of History—"a realm of obscure and fanciful ideas, of sweeping and ill-based assumptions and slipshod reasoning" (page 142).

A complete analysis of the author's application of his "principles" of group psychology to the phenomena of the national mind would necessitate comment more extended than its interest and value warrant. It is nevertheless difficult to resist the temptation to cull a few unrelated but illuminating examples of the author's observational competence. Thus the "great political stability" found in China is due to purity of race (page 172). Such "homogeneity of mental qualities" as exists in America, not being innate, has been acquired; but—be warned—"the favorable issue of the vast experiment is not completely assured" (pages 175-6). The fact that "an Americanized German . . . has often less sympathetic feeling for Germany than a foreigner" may be attributed in part to Germany's lack of national boundaries (page 177). In America "a sense of part-ownership of a splendid territory . . . inspires an unselfish enthusiasm for the work of developing the immense resources of the country" and furnishes the "idealistic motive . . . which we are apt to ascribe to the love of the 'almighty dollar'". This is "one of the main causes of the rapid assimilation of immigrants" (page 178). Because of the development of means of communication "it seems not unlikely that almost the whole population of the world will shortly be included in five immense states—the Russian or Slav, the Central European, the British, the American and the Yellow or East Asiatic State" (page 182). (This book bears a preface date of March, 1920). "The assumption by the American nation of responsibility for the peoples of Cuba and the Philippine islands cannot fail to bring them [the Americans] in some degree . . . moral benefits" (page 198). The "relatively low level" of public life in America is due to the fact that the nation has been "until recently too much shut off from collective intercourse with other nations, too far removed from the region of conflict and rivalry" (page 230). In resisting Germany in 1914, Belgium (and to a less degree England and Italy) was compelled to make a choice between the good of all in the immediate future (that is, the probability of increased material prosperity under German domination) and the welfare of the whole in the remote future (page 236). There is

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little doubt that the adoption of socialism by almost any modern nation would "increase the well-being and happiness of its members very decidedly on the whole of the present generation and possibly for some generations to come". The opponents of socialism, thinking of the good of the whole, "must seek their justification" by looking to the ultimate future welfare of the nation (page 237). "The existence of two traditionally opposed political parties ensures that every important step shall be fully discussed" (page 260). "Even in America, there seems to be already a not very remote possibility of the supersession of parliamentary government by a dictatorship—a process which has actually occurred in many of the municipal governments of America" (page 262).

If this is group psychology pragmatically revealed, one cannot marvel that the historian and the political philosopher have hesitated to devote "some additional years of preparatory study" to this field. Indeed, even if all that McDougall writes were true, one would be tempted to inquire: "What difference does it make?"

HOWARD LEE MCBAIN.

The Degradation of the Democratic Dogma. By HENRY ADAMS. With an Introduction by BROOKS ADAMS. New York, The Macmillan Company, 1920.—xiii, 317 pp.

Very many readers of *The Education of Henry Adams* began to think of dropping off at chapter xxv, where he writes of "The Dynamo and the Virgin", and most of them actually dropped off at, if not before, chapter xxxi, "The Grammar of Science". To some who thus lost the last half-dozen chapters of the work, it was because the author seemed to be joking at unduly protracted length; others considered him serious but could not discover what he was driving at. The present volume clears up the situation by revealing that Adams was perfectly serious and by presenting in a straightforward manner the philosophy of history which in the *Education* was whimsically mixed up with irrelevant autobiographical matter.

Three essays of Henry Adams are included in the book: "The Tendency of History", "A Letter to American Teachers of History", and "The Rule of Phase applied to History". The thesis that he derives from his speculation is in substance that mankind has not shown in its history any general and certain tendency to progress or to unity—that the movement of human affairs has been in the past and will be in the future irregular, complex, wholly beyond

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determination by the will of man, but responding to cosmic forces that proceed from and return to chaos. Adams's particular interest is to show what little ground there is in history or physical science for the cheery, comfortable doctrines of progressive evolution that had great vogue two generations ago. Instead of the gradual but sure approach to the perfection of human society, he can anticipate only a series of spasmodic hitches forward and backward, ending in a catastrophic dissolution of society, man, earth and perhaps all creation in the phase of it that is conscious to us.

The main support for this conclusion Adams finds in the pronouncements of eminent modern scientists that the ultimate force or energy on which the present functioning of the physical world depends is steadily being dissipated, so that the end of the world as man knows it is mathematically certain. Adams proves or assumes that thought, or the vital energy distinctive of man, is subject to the same laws as the force that accounts for physical phenomena. Hence he concludes that thought also is steadily deteriorating — losing its potentiality. The greater its intensity from time to time, the more rapid its approach to extinction. Such a period of acceleration as that in which we are now living means that a catastrophe is impending. Where foolish men believe that the stupendous achievements of human intelligence foretell ever more amazing triumphs and the unceasing growth of that civilization in which humanity rejoices, Adams sees in these achievements the portent of near destruction for civilization if not for humanity as well. With a gravity that it is hard to believe unfeigned, he calculates by the mathematical formulas of thermodynamics that the date for the great extinction is about 1921.

Brooks Adams, in an introductory essay entitled "The Heritage of Henry Adams", assures us that the prediction of his brother was worked out in deadly earnest, and that the workman was a prognosticator with an impressive record of fulfilment. Mr. Brooks Adams is something of a prophet himself—a minor prophet, however, who bows in humility before the record of his elder brother. The younger man works through economic science and he, on the basis of the production of pig iron and the tendency of the center of the exchanges to leave London for either Berlin or New York, prophesied a tremendous convulsion of civilization for about 1930. But the elder brother, after an extended study of thermodynamics and the behavior of the comet of 1843, fixed the date at 1917—a prediction precisely fulfilled, Brooks Adams believes, by the entrance of the United States into the world war. This, Henry Adams tells us,

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brought to an end the "electrical phase" of thought activity and introduced the "ethereal phase". The duration of this phase, ascertained by the simple process of extracting the square root of 17.5 (page 308), must be four years, bringing us to the final catastrophe of 1921.

All of which may suggest that this volume offers what Horace Greeley used to call "mighty interesting reading".

The prevailing faith of one late generation of reflecting men was beautifully summed up in Tennyson's famous lines:

> One God, one law, one element,
> And one far-off divine event
> To which the whole creation moves.

The formula of Henry Adams is less simple and less adapted to rhythmic expression: No God — only Lord Kelvin, Willard Gibbs and their disciples; no law, save those of thermo-dynamics; no element—only force and motion; and no event *to* which, but an infinite series of phases *through* which, the whole creation (that is, the *ensemble* of manifestations of energy) moves.

In the essays in this volume Mr. Adams repeatedly admonishes teachers of history that it is their first and highest duty to guide their pupils to a right choice between these formulas. How to go about this task should be sought by a careful perusal of the book.

WM. A. DUNNING.

The Place of Science in Modern Civilization and Other Essays. By THORSTEIN VEBLEN. New York, B. W. Huebsch, 1919.—509 pp.

Rarely does any body of essays, originally published at long intervals over a period of twenty years, make an impression either of unity or of freshness. But this book of Professor Veblen's does make such an impression. The three essays on "The Preconceptions of Economic Science", the critical essays on Professor Clark and Professor Schmoller, the closely reasoned papers on "The Limitations of Marginal Utility", on "The Nature of Capital" and on "Industrial and Pecuniary Employments" and the two essays on "The Socialist Economics of Karl Marx" make up a definitely coherent system. If Professor Veblen had never written anything else, these essays would have sufficed to give a more complete account of his habits of thought and the scope of his interests than most scholars leave behind them. The two essays on "The Mutation

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Theory and the Blond Race" and "The Blond Race and Aryan Culture" offer a glimpse of another side of Veblen's method, the whimsically baffling juggling with uncertain data, inviting to disbelief at each stage in the reasoning process, yet leading in the end to more than a vague impression of final proof. One may not be convinced that the dolicho-blond is a mutant of the Mediterranean race, nor that his Aryan culture and speech are borrowed from a race of a wholly different character. But one is certainly forced to reflect upon the flimsiness of the evidence that would prove the reverse.

When these essays first appeared, they were received with admiration, mixed with suspicion and hostility, by those who like the present writer accepted the essentials of the classical and neoclassical system of theory as not only logically tenable, but as a practicable approach to the problems of economic policy. For it was Veblen's purpose to expel the orthodox theorists, bag and baggage, to the limbo of the alchemists and the mediæval logic-choppers. Orthodox theory was a "taxonomy of credenda". "We are getting restless under the taxonomy of a monocotyledonous wage doctrine and a cryptogamic theory of interest, with involute, loculicidal, tomentous and moniliform variants" (page 70). How was it possible for any one whose intellectual vested interests were attacked to turn a receptive face to a volley of such words as those? Veblen proposed to substitute an altogether different discipline for the kind of theory we knew. It was to be an evolutionary science, occupied with genesis and process, like other sciences. We tried to puzzle out the arguments by which he pretended to explain the necessity of the substitution. They were cogent only to those who had an antecedent inclination to accept them. To the rest of us they seemed just a feint, such as Veblen considers Marx's defense of the labor-value theory to be. "It is rather a self-satisfied superior's playful mystification of those readers [critics] whose limited powers do not enable them to see that his proposition is self-evident" (page 419).

But now that the thin passions of pure theory have cooled somewhat, do we find ourselves more open to Veblen's argument? One can speak only for himself, but the reviewer, at any rate, is much more impressed by Veblen's uncanny capacity to penetrate to the hidden recesses of economic psychology, by the skill with which he exhibits the triumphs of his own method (as for example in the chapter on Industrial and Pecuniary Employments) than by the polemics intended to clear the way for his own construction. The polemics still seem, however, rather tricky.

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How far is it indeed true that the orthodox theory is just a "taxonomy of credenda", a barren, classificatory exercise in the justification of things as they are? The early economists, struck by the fact that economic life would probably be more fruitful if all statesmen kept their hands off, were driven by the rhetoric of the time to identify the workings of *laissez-faire* with the Order of Nature and the will of God. Does that mean necessarily that the foundation of economics was laid in an eighteenth-century philosophy, whose disintegration jeopardized the whole superstructure? Many a later economist has held that any interference by the state in the economic process would do more harm than good. Are we all so sure now that there is nothing in that view, just because it happens to coincide with the views of those who held to a theology now extinct? There are still economists who believe that the existing scheme of distribution is just, and spend some part of their energies defending it. What of it? Are there not equally orthodox economists who believe that the competitive laws of distribution are ethically neutral? If one's "taxonomic" exercises lead him to the conclusion that the unskilled laborer cannot under a competitive system hope for so satisfactory a position as that of the skilled laborer, is that necessarily to "justify" the discrepancy?

Veblen's indictment of orthodox economics does not, however, rest chiefly upon its disposition to find the arrangements of the present order good, but upon its barrenness. The anthropologists and biologists and botanists do not trade in hypothetical A's and B's, shifting their relations according to imaginary rules. No, indeed, they do not, but the anthropologists and biologists and botanists live in a world which is free from positive legislation, which is always presenting questions to the economist. It is proposed, for example, to put a duty of fifty cents a bushel on wheat imports. A great many good citizens are asking how that would affect the interests of our own wheat-growers. Would Veblen himself drown out such questionings with a flood of genesis and process and behavioristic psychology, or would he fall back upon the good old taxonomic economics and produce an answer conclusive enough for practical purposes? I think he would adopt the latter course, not only in this case, but in a sufficiently wide range of other cases to compose a fairly imposing general field in which the "taxonomists" can work fruitfully.

But have they kept to this field? No, of course not. They have wandered abroad, to utter *obiter dicta* about the permanence and

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inherent necessity of things as they are. They have posed as authorities on the general social movement, when it ought to be self-evident that the methods of general science alone can throw light upon such evolutionary phenomena. Any one who has sat through conventional courses on socialism, for example, and written examination papers giving ten reasons for and ten against socialism, will sympathize with Veblen's ridiculing of the methods of the mid-Victorian style of economics.

What one may fairly conclude from these essays is that Veblen has a method of study competent to yield extremely valuable results when applied to its proper field, a field perhaps richer and culturally more significant than that which is competently handled by orthodox economics. But that Veblen's method can be applied in the orthodox field, and that the orthodox field can be abandoned as worked out, appear to be assumptions unwarranted by any evidence Veblen furnishes here or elsewhere.

ALVIN JOHNSON.

NEW YORK CITY.

Contemporary French Politics. By RAYMOND LESLIE BUELL. New York, D. Appleton and Company, 1920.—xxviii, 524 pp.

Mr. Buell has not given us a conventional textbook on French government. His method has been to approach government through the parties which operate it and through the problems which confront the parties at the present time. Incidentally, without resorting to any systematic analysis of the executive and legislative organs, the civil service and local government, he has managed to make their broad outlines tolerably clear and to accentuate those special aspects about which partisan controversy ranges. Thus, defects in the functioning of the parliamentary system are revealed in a chapter on "Parties and Parliament"; the fundamental features of the Constitution of 1875 are considered in relation to the demands of conservative parties for an enlargement of the president's authority, for the strengthening of the Senate, and for the judicial control of legislative acts. Problems of administration, so often evaded or ignored, receive adequate attention. Mr. Buell is quite alive to the growing volume of criticism and complaint in France, to the agitation that seeks a remedy for abuses in deconcentration (whereby the initiative and discretion of subordinate officials would be enlarged) and in decentralization (whereby extensive powers would be conceded to new

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local areas called "regions"). He does not ignore the possible advantages of a civil service controlled by the civil servants themselves.

More than half the book, if one may include chapters on syndicalism and the newspapers, is devoted to the political parties. Mr. Buell examines their programs, their alliances and antagonisms, their vicissitudes of fortune during the last two decades. He attempts to explain the existence of so many parties and to indicate the process by which consolidation is likely to take place. He describes in some detail the conflict within the United Socialist party, leading first to secession from the "Sacred Union" during the war, then to the triumph of the extremist faction, and finally to the combination of the bourgeois parties in the National Republican *Bloc*. The American student is provided, therefore, with a survey of partisan activities before and after the war and is in a position to understand new movements in French politics without searching through the files of newspapers and magazines. It may be said that Mr. Buell preserves a fair attitude throughout; his sympathies lie with the Democratic-Republican party of the Center, but he is not moved thereby to distort and misinterpret the aims of parties on the Left and Right.

Useful and interesting as the book is, it suffers from defects that are in some cases merely venial and in others serious enough to impair its authority. There are marks of carelessness, immaturity and misinformation; and these deserve consideration not only as pointing to certain deficiencies in Mr. Buell's work, but also as suggesting deficiencies in the discipline of our American seminars.

Mr. Buell has dealt with "contemporary" politics. So rapid has been the march of events, however, that the effort to keep abreast of new developments has necessitated successive modifications of the text; and, in making these, Mr. Buell has left exposed here and there the strata of earlier glacial periods. Interesting fossils may be discovered without much excavation. Thus we are told on page 68 that the Socialists constitute a sixth of the Chamber (as they did before the election of 1919); on page 139, that "there is little possibility of another *Bloc*" (its formation is fully described in another chapter); on page 152, that the district ticket is still used in elections; and on page 339, that "the statist activities of Parliament are being strenuously objected to" because there should have been a new election in 1918! Not every reader will have the archæological insight to place these numerous fossils in their right period.

Inaccuracies and misstatements abound. "In Paris alone", Mr. Buell says, referring to the elections of 1919, "ten different tickets

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appeared upon the ballot" (page 189). This is quite untrue. Paris formed not one district, but four districts; there was not one blanket ballot, but twenty-three different ballots for twenty-three different lists; in no district did more than seven lists compete. We are told on page 30 that collectivism is the "principal characteristic" of the Radical-Socialist party (which has in reality denounced collectivism over and over again); on page 170, that supplementary elections have been abolished; on page 216, that the Constitution is composed of five fundamental laws (two of those cited are not part of the Constitution at all); on page 222, that cabinets "often" contain members who have absolutely no connection with Parliament; on page 222 (note), that Poincaré's sketchy book gives a "thorough" description of French government; that Briand and Viviani refused to join the Unified Socialist party (page 36) and that they were excluded from it (page 147); that the anti-clerical *bloc* was formed in 1900 (page 111), 1901 (pages 28 and 84), and 1902 (page 180), and that it disappeared in 1906 (page 81 and index) and in 1912 (page 110).

Mr. Buell becomes vague and incoherent when discussing the various systems of election that have been proposed or applied in France. He speaks of "a faulty method of election known as the *scrutin d'arrondissement*" (page 153) in a way that quite obscures its identity with the familiar district ticket of the United States and England. He confounds proportional representation with the cumulative vote (page 158). He seems to regard the *scrutin de liste* and proportional representation, which are utterly opposed in principle and effect, as closely related systems. The confusion occurs so often that it cannot be attributed to careless phrasing. Thus the Radical-Socialist party "refused definitely to commit itself to proportional representation, although it has stood for the *scrutin de liste*" (page 29); and the Senate rejected proportional representation in 1913, "although" it substituted the *scrutin de liste* (page 160). In another passage (page 156) the general ticket is actually assumed to facilitate minority representation. In commenting upon the electoral law of 1919 Mr. Buell speaks of "the possibility of making every vote effective" (page 170) and says that "France now has the assurance that its Chamber of Deputies will more nearly correspond to popular sympathies" (page 171). Strange language to employ after the late elections! Under the old law in 1914 the Unified Socialists cast 16 per cent of the popular vote and won 101 of the 602 seats (17 per cent); under the new law in 1919 they cast 25 per cent of the vote and won 68 of the 626 seats (11 per cent).

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In this case the author simply contradicts himself, for the figures given are his own. Such contradictions are too numerous to be overlooked. It is stated (page 154) that "the arrondissement method permits of effectual control of elections by the government". Yet it is also stated on the previous page that "to control departmental elections was within the physical power of the government; but to dominate arrondissement elections, so numerous were the districts, was an impossible task". "Radical" and "liberal" are used as interchangeable terms (pages 7, 283), although the author repeatedly insists that the Radicals are collectivists and Socialists. It is impossible to discover who Mr. Buell really thinks the Radicals are. At one moment he identifies them with the Unified Radical and Radical-Socialist party; at another he speaks of the growing cleavage between the Radical-Socialists and "the Radicals proper" (page 206). Now the Radical-Socialists won 172 seats in 1914, and 86 in 1919; these are official figures. Yet (page 29 note) Mr. Buell says: "The party became known as the Unified Radicals. The election of 1914 . . . reduced their number to 257 members. In 1919 their number was still further reduced to 143." And in another place (pages 192, 193) he gives the same figures, not simply for the "Radicals", but for the "Radical Socialists".

Mr. Buell expresses himself in simple, direct language, without over-emphasis or labored phrasing. On the whole the book is well written; and therefore it is the more astonishing to come upon glaring lapses in usage and construction. We are told that it was "impossible to *frustrate* the people of Alsace and Lorraine from the benefits of their regional organization" (page 393) and that the Chamber was "*reticent* to extend a right which would include even judges" (page 278). Mr. Buell's chief difficulty lies, however, in his translations from the French. "Commission" may be accepted for *commission;* "functionary", for *fonctionnaire* (though not in the singular phrase "functionary leader"); but what can palliate "amical" for *amicale* (page 364), "solidarily" for *solidairement* (ministers solidarily responsible, page 219), or "fifteen days" for *quinze jours* (page 168, where "within fifteen days" takes the place of "two weeks later")? Mr. Buell has not observed the distinction between "session" and *séance* (page 65). He does note (page 46) the distinction between *projets* ("projects", he calls them—government bills) and *propositions* (private-member bills); but later he has private members introducing "projects" (pages 160, 162, 164). He also refers to orders of the day and resolutions as "bills" (pages

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72, 73). Looseness of this kind is not peculiar to Mr. Buell; nor does he stand alone in decorating his sentences with French words that should be done into English. When he says that "the Chamber had to reject the treaty *ensemble* or ratify it *ensemble*" (page 174), or that the *gouvernants* govern and the *gouvernés* are governed (page 358), he may have had difficulty in finding an appropriate English word. But why should he give us this extraordinary sentence (page 359): "The *homme de politique* must give way to the *homme des affaires*—the politician to the business man"?

E. M. SAIT.

UNIVERSITY OF CALIFORNIA.

A History of the Indian Nationalist Movement. By SIR VERNEY LOVETT. New York, Frederick A. Stokes Company, 1920. —xiv, 285 pp.

Those students of international politics who care for facts will find in the present volume a well-compiled digest from year to year of the military achievements of Young India in its steady war against Great Britain. The story has all the authority of a first-hand study, since the author was one of those English members of the Indian civil service who were engaged by the British government to prepare the official history of Indian sedition, conspiracy and revolutionary propaganda, published in 1918. Another of his significant qualifications for the present task is his participation in the framing of the Rowlatt Act of 1919, the Nationalist reaction to which has served to add Amritsar and Ahmedabad to the list of the world's massacres.

To the author the "vital issue of the present" is: "Will the constitutional changes" effected by the new Government of India Bill "be such as adequately to maintain British supremacy" (page 254)? Notwithstanding his verbose solicitude for the well-being of India, he seems to share the opinion formerly expressed by Lord Crewe, whose words he quotes: "Is it conceivable that at any time an Indian Empire could exist, on the lines, say, of Australia and New Zealand, with no British officials and no tie of creed and blood, which takes the place of these material bonds? To me that is a world as imaginary as any Atlantis . . . that was ever thought of by the ingenious brain of any imaginary writer" (page 89). Such being his point of view, it is strange that the author should so often be surprised to find that "the preaching of racial hate" is a prominent feature of Indian nationalism.

The author, however, has no illusions. He knows that there is no

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difference in aims and ideals between the "Moderates" and the "Extremists", the Home Rulers and the Liberators, the two camps into which Indian political parties are conventionally grouped. In regard to the "Moderate leaders" we are told that "when the riots began [1919], they blamed the rioters, but devoted their main energies to censuring the measures of suppression adopted by the government" (page 220). Instead of siding with the government these so-called Home Rulers advocated the abrogation of martial law, the repeal of the Rowlatt Act and a policy of surrender to the people's will. Common sense is thus left to make no distinction between the two parties but rather to designate both as belonging to one and the same group of "patriots", who are to be sharply distinguished from those who in common parlance are known as loyalists or traitors, depending upon the point of view. Indeed, at the National Congress of 1916 "absolute political independence had become the professed ideal of Moderate and Extremist politicians alike" (page 119).

The position of those who do not belong to the group of patriots is brought into relief by the picture given by the author of success in terrorism which revolutionary India has been able to establish (pages 94, 188, 190). Evidently there is a moral tug-of-war between the party of freedom and the forces harnessed to subjection and slavery.

In the background of all this the reader has to visualize a thoroughly disarmed India. And since her patriots have accepted the challenge of the British Empire their methods of work are naturally twofold. In the first place, they try by hook or by crook to equip themselves with arms. Secondly, they seek to improvise ways and means of acquiring a training in military manœuvres. For the purchase of firearms they loot the non-patriots and the government treasuries. These tactics are akin to the Bolshevik economics of expropriation. Military discipline is achieved not only in this very process of financing the movement, but also in organized attempts to kill off persons in the British service undesirable to them, as well as their secret agents (pages 105, 115). Militaristic enterprises occasionally assume the form of outbreaks and riots, which, whether political in origin or not, are exploited by the leaders of secret societies for the purpose of paralyzing the government and demonstrating to the masses that "British rule is gone" (pages 98, 150). For instance, it was found out in the Punjab "rebellion" of 1919 that there were "clever men behind the lawless deeds and they showed concerted actions" (page 216). These attempts at military preparedness, however crude, have shown cumulative progress since the first bomb attack in Bengal (1907), which was

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an aftermath of the events of 1905 (pages 73, 85), in which Young India may be said to have been born. Its philosophy is traced by the author back to Tilak's message in the *Kesari*, a Marathi journal, in 1897 (page 51). But the beginnings of the militant attitude are to be seen in the journalism of the '70's (page 22).

From a reading of the book one rises with the conviction that a state of war exists in India between the people who are its natural leaders and the foreigners who have managed to get possession of the country. This belligerency, chronic and old as it is, is not recognized as such in international law, because the rebels have not yet been able to smuggle, purchase or steal enough arms and ammunition for one or two dramatic military demonstrations. But India's efforts to attain political emancipation in the teeth of the formidable opposition of the enemy are patent to all who study warfare and the "halfway houses" to war. The present book is a record of this struggle, especially of the crisis that is coming to a head, from the other side of the shield.

BENOY KUMAR SARKAR.

PARIS.

A Short History of the Italian People. By JANET PENROSE TREVELYAN. New York, G. P. Putnam's Sons, 1920.—xiii, 580 pp.

Mrs. George Macaulay Trevelyan possesses admirable qualifications for writing a history of Italy. She has availed herself of the opportunity of studying for many years alongside her talented husband, the author of *Garibaldi and the Thousand, etc.* Further evidence of her qualifications is shown in her bibliography, which lists 179 English, 79 French, 47 German and 189 Italian books, which "in almost all cases have been consulted by the author".

The task of condensing into a single volume the eight volumes of Hodgkin, the eight of Gregorovius, the sixteen of Sismondi, the scores of volumes of Botta, Bianchi, Mazzini, Metternich, Bersezio, and Ricasoli, to say nothing of the hundreds of volumes of letters, memoirs and biographies, is quite herculean. It would be unfair to find fault with the bibliography of a book which the author frankly admits is only a simple introduction to the subject, but she could have spared herself much reading had she chosen a smaller number of volumes, among which should have figured Muratori, *Rerum italicarum scriptores,* Zambrini, *Scelta di curiosità letterarie inedite o rare del secolo XIII al XVII,* Vallardi, *Storia politica d'Italia* Venturi, *Storia dell'arte italiana,* Novati, *Biblioteca storica della*

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letteratura, and Ricci, *Italia artistica.* In such a book a long bibliography serves no real purpose.

The title of Mrs. Trevelyan's volume is a misnomer. It might well be called "A Short History of Italian Personages", for the pages fairly swarm with proper names, on many pages at an average of one to each line. Dukes, counts, princes, cardinals, popes, kings and emperors run easily from the author's pen. Carlyle would have found delight and solace in what Mrs. Trevelyan has written, but to a reader accustomed to the history of political ideas, cultural trends, economic shifts and philosophic ideals, her book, with its dynastic, curial and pseudo-political changes, will seem as antiquated in method as it is sterile in ideas. The great outburst of the Italian Rinascimento is given almost an entire paragraph in part of one page!

Mrs. Trevelyan has not entirely met the need for a one-volume history of Italy.

R. V. D. MAGOFFIN.

JOHNS HOPKINS UNIVERSITY.

Les États-Unis d'Amérique et le Conflit Européen 4 août 1914—6 avril 1917. By ACHILLE VIALLATE. Paris, Félix Alcan, 1919.—x, 343 pp.

Probably no Frenchman, if we except M. Jusserand, the present French ambassador at Washington, is capable of speaking with greater definiteness and precision regarding affairs in the United States than is the author of the present volume. His essays on American diplomatic history, which appeared in 1905, were followed in 1908 by a work on American industry, its evolution, organization and expansion; and both publications were characterized by an intimate acquaintance with printed materials, supplemented by personal inquiries.

The volume now before us not only narrates what took place in the United States during the period designated in the title, but also endeavors to explain it in the light of past as well as of current political conditions and policy. In this way the reader gains the benefit of a survey of the foreign policies of the United States by a competent critic, whose detached position enables him to give to events interpretations which might not occur to one with a nearer and less commanding view of the field of action. For the same reasons, the work is not of that purely evanescent type which predominates among the books and pamphlets so far published in relation to the war.

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In matters of judgment an entire agreement between an author and a reviewer on all points cannot be expected. M. Viallate, for instance, expresses the opinion that, in spite of unfavorable impressions that earlier prevailed, the Kaiser, partly as the result of Prince Henry's visit, but more especially as the result of the cultivation of "intellectual relations" and the "exchange of professors", came to enjoy in the United States "a real popularity". There is, however, reason to think that M. Viallate over-estimates the potency of the measures which he designates; for, while they do not always profoundly influence even the relatively limited circles whose members they reach, they can hardly be expected deeply to influence general sentiment in a country so vast as the United States.

M. Viallate properly mentions Mr. Root's speech of February 15, 1916, as proof of the previous growth in the United States of an opinion in favor of participation in the war. If he does not assign to the speech a position of prime importance as a decisive factor in the sequence of events, he is not open to criticism to which American writers are not equally subject. The ramifications of the incident extended beyond the ordinary observation, and its full significance has not been generally grasped.

M. Viallate is usually so exact in his statements and his references that we may ascribe to pure inadvertence, in the writing of a name, his attribution (p. 198) to Mr. Knox of declarations of policy toward China, in 1899 and 1900, made by Mr. Hay.

J. B. MOORE.

The Constitution and What it Means Today. By E. S. CORWIN. Princeton, Princeton University Press, 1920.—xxiv, 114 pp.

Professor Corwin has undertaken an interesting experiment in the exposition of constitutional law. He deserves sympathy for the publisher's extravagance on the jacket that "this book contains the complete text of the Constitution of the United States, with full explanations of all those passages which seem the least obscure". The text is there, but the explanations are far from full and are plainly not designed to be exhaustive. No attempt at a "full explanation" would be content with six pages for the commerce clause and six pages for due process of law. Many of the comments on the constitutional clauses are nothing but a caution against making a few of the possible erroneous assumptions from the language of the Fathers. This is all that could reasonably be expected from the limits of space

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which the author has set for himself. There is danger that the "average citizen" for whom the work is intended will be misled by some of its terse summaries, and it is certain that he will be unenlightened by others.

In consequence of these necessary limitations, Professor Corwin's experiment is only moderately successful. Yet his book has a function as an entering wedge to the study of constitutional law. It puts the reader on his guard and tempts him to go elsewhere to learn more. It emphasizes the generality of most of the provisions of the Constitution and the importance of the part that the Supreme Court has played in its interpretation. It is for the most part reliable so far as it goes. Among the few errors is the unqualified statement that "the power of Congress to regulate interstate and foreign commerce is *exclusive,* and therefore may not be exercised by the States to any extent, even though Congress has not acted" (page 26). This accords neither with the adjudications nor with authoritative doctrine. In some instances where the author does not follow the doctrine he gives the actual results of approved practice, and so states the law better than the Supreme Court.

Two statements invite comparison. The preface says that "several writers with Socialistic sympathies have recently implied or stated that the Convention of 1787 was governed by unworthy motives, that in particular it was concerned to bolster the public debt of the Confederation, of which its members, it is alleged, were large holders." These allegations are said to be refuted by several facts, one of which is that "the Convention took absolutely no action regarding the Continental Currency, which was the principal evidence of the Confederation's public indebtedness" (page v). On pages 80-81 we find the following:

"Article VI. [Par. 1.] All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution as under the Confederation." This paragraph, which is now only of historical interest, was intended to put into effect the rule of International Law that when a new government takes the place of an old one it succeeds to the latter's financial obligations.

THOMAS REED POWELL.

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European Police Systems. By RAYMOND B. FOSDICK. New York, The Century Company, 1915.—xii, 442 pp.

American Police Systems. By RAYMOND B. FOSDICK. New York, The Century Company, 1920.—x, 408 pp.

In the first of these volumes, published six years ago, Mr. Fosdick gave us an interesting and authoritative survey of the organization, methods and problems of police in the leading cities of England and continental Europe. In making this earlier study he had constantly in mind the perennial police problem of American cities. In the second volume he gives us a survey of American conditions and a critical analysis of our problems in the light of European practice and experience. Both books are excellently done; there is historical perspective, a wealth of detailed fact, a keenness of observation and a heartening quality of readableness. On numerous pages, moreover, these volumes exhibit the truth that in making a comparative political study of this kind there are manifest advantages in the method of traveling investigation, costly as it must have been in this case.

As differentiating our problem from that of European cities Mr. Fosdick discusses in the opening chapter of his American study such matters as our heterogeneity of population, court procedure, the law's delays, faulty personnel of the bench, public sentimentality and unenforceable laws. It can scarcely be said that he has discussed with adequacy the situation created by these so-called "unenforceable laws", which constitute perhaps the most important ingredient in this *mélange* of differences. "Unenforceable" is a large word. Unwise, no doubt, and of a certainty frequently unenforced, many of the laws to which he refers are nevertheless fairly enforceable. A little while back, for example, we were wont to be told that houses of ill fame, segregated or scattered, were inevitable because the laws against public prostitution were unenforceable; but many cities in recent years have proved the fallacy of this former assumption. Mr. Fosdick's chief fault is that he gives no sufficient analysis of the relation between municipal public opinion and the vice and sumptuary laws which he regards as unenforceable. In accepting the notion that a "moralistic despotism" is imposed upon cities by rural legislators he ignores the fact that in the legislatures of many industrial states a majority of members no longer come from rural districts. Apparently also he accepts without challenge the view held by many eminent commentators that if a law is to be enforced it must have the positive support of something like a majority public opinion be-

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hind it. Now it is a palpable fact that a large amount of our law is the product of the positive opinion of no more than a minority—sometimes a very small but very active minority. Thus in respect to most of our vice and sumptuary laws there is a positive minority in favor and a positive minority in opposition; between these two is often a large majority which, if not wholly indifferent, is at least unaffirmative. The same thing is true of nearly all of our legislation touching complicated economic problems. Are we, then, to write our vice and sumptuary laws down to the level of such positive opinion in favor of the law and its enforcement as is vigorously entertained by large numbers? Is the law merely to reflect but never to foster public opinion? Is not the fairly unchanging policy of law enforcement by European police due in considerable part to the fact that their laws are written down to this level? Is not the state of vice control in the average American city, in spite of the enormous indictment that can properly be brought against the police, an improvement over the conditions that prevail in the average European city? And has not this result been due in part to the forwardness of our laws—a forwardness that has made possible, if not inevitable, the frequently decried result of cyclic enforcement? This is not to postulate that many of our laws are not silly; but it is to suggest that there is more to be said on this moot question than Mr. Fosdick has either said or implied.

Having, as it seems to me, inadequately dealt with this important aspect of his subject, it is not surprising that the author is content to be merely pessimistic about the sordid politics that entwines itself like a cancerous growth around the heart of the American police function. In Europe this function is non-partisan, non-political; it is a matter only of highly technical administration. In America it is politics-ridden. Why? His answer is: because of the public attitude of mind. And "the problem will be solved, if solved at all, . . . by popular education" (page 247). There is much, of course, to be said in behalf of the reason thus assigned and the solution thus offered. But there is something also to be said concerning the relation of politics to the use of law as an accelerator of public opinion. Politics will play with and upon the American police function as long as it is possible for elected officers to apply varying policies in the matter of law enforcement by the police. Only a static police policy will eliminate partisan politics; and a static policy can result only when vice and sumptuary laws are reduced to the low standard that will at present enlist the aggressive support of most of the

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people, or when a larger public opinion has been educated to a higher standard. Toward this process of education the existence of laws in advance of the positive opinion held by a majority unquestionably contributes. Mr. Fosdick contrasts, for example, the transient official tenure of police commissioners in America with the continuity of service that prevails abroad. He quotes Mr. Arthur Woods, who, arguing in 1912 for security of tenure, referred to police commissioners as "birds of passage". He does not mention the fact that at the close of 1917, when Mr. Woods was urged to remain in office for the remaining fifteen months of his legal five-year term, he replied that the hearty cooperation of his elected chief, the mayor, was indispensable to the police commissioner. Such cooperation he knew he would not receive from the incoming Mayor Hylan. Mr. Woods was right in 1917 and wrong in 1912 when he urged security of tenure. In the United States the police function is not simply a matter of technical administration. We are compelled to choose between politics in the police department and a lowering of the standard toward which many of our so-called unenforceable laws aspire.

This study of American police is not optimistic. In the retrospect we have perhaps some cause for gratification. In contrast with European conditions we have every cause for despair. In spite of its many excellences, which have not here been referred to in detail, one can but feel that Mr. Fosdick's investigation has not penetrated the whole of the big and important problem of policing American cities; nor has it offered much that is substantial in the way of proposed remedy. However, the book was probably written to inform, not to reform. Informational it certainly is.

HOWARD LEE MCBAIN.

Profits, Wages and Prices. By DAVID FRIDAY. New York, Harcourt, Brace and Howe, 1920.—iv, 256 pp.

Those sensitive economists who dislike to teach an economic theory entirely removed from the real industrial world of today will welcome heartily this little book by one of their associates. For it is a work that brings figures and facts into that hitherto most abstract, not to say fanciful, of economic studies—distribution. How the industrial output and the division of this output have been affected by the World War is the problem which the author attempts to answer. His conclusions, for the most part, are based on governmental statistics, amplified by estimates based on ingenious devices of sampling and interpolation.

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So large is the field to be covered and so small is the book, that one does not look for thorough and exhaustive treatment of the topics discussed, nor does one find it. Indeed, the limits of space and also, no doubt, the considerations of journalism, have led the author to state his conclusions in terms more unqualified than the data which he presents would seem to warrant. An instance of this lack of caution is the following sentence: "It is no doubt true that the inefficiency of labor has been the chief cause of increased prices since April, 1919" (page 135). Such a conjecture may or may not be valid; but that its truth admits of "no doubt" is a hazardous assertion. However, in a work of this nature one should not be hypercritical. For at the present early date, a discussion of war and postwar economics may properly be put in a sketchy, suggestive style, leaving the more discriminating analyses and the "ifs" and "buts" for later studies.

The first few chapters group themselves about the topic of profits. Did the war lead to a tremendous increase in profits, as is currently assumed? The answer is "yes". "For the five years preceding the outbreak of the European war corporate profits averaged somewhat less than four billion dollars; for the years 1916-1919 they averaged nine billion dollars before taxes and seven and one-half billion annually after paying federal income and excess-profits levies" (pages 14-15). In one respect, however, popular opinion is in error. Since 1917, profits, so far from rising, have fallen off materially, and this in spite of the continued rise in prices. Higher taxes and dearer, more inefficient labor have been responsible for the decline.

Some surprising conclusions are drawn in the chapter on "The Uses to which Profits are Put". According to the author, only a small portion of the total corporate profits during the war has been spent by the stockholders on articles of personal consumption. First the federal government has cut off a large slice of the corporate income by means of the income and excess-profits taxes. Then the corporations themselves have insisted on retaining an astonishingly large part of the remainder for reinvestment in the property. From these facts the author concludes:

> As a consequence, only one-third of the enormous war profits ever got into the hands of the stockholders. That third the government insisted on sharing with them by subjecting it to surtaxes. A substantial portion of what the stockholders had left went to furnish the great body of the investment funds of the country. It is no exag-

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geration to say that not more than one-fourth, and probably not more than one-fifth, of the whole volume of corporate profits was actually spent by the stockholders of these concerns (page 68).

One is fairly safe in guessing that these statements will be made the most of by those defenders of the present economic order — of whom Mr. George E. Roberts is the most prominent representative — who assert that unequal distribution of wealth is not a serious evil, since the recipients of bloated incomes do not spend more than a fraction of their receipts for personal enjoyments. Friday himself, however, does not go as far as this, although he does contend, in his final chapter, that "the source of higher real wages must be found in production and not in a redistribution of the product of industry" (page 236).

After an illuminating chapter on the rate of interest and a very brief — an all too brief — chapter on the course of wages, the remainder of the book is devoted chiefly to a discussion of the trend of prices. Here Friday alines himself with Anderson and others in opposition to the quantity theorists. In America, he says, high prices have been caused neither by currency inflation nor by expansion of bank credit, but rather by the extraordinary war demand for commodities. To be sure, bank credit has expanded, but this expansion was the result rather than the cause of the rise in prices. After prices had risen in response to the unusual demand for commodities, credit had to be extended so as to support commercial transactions on the higher level of prices.

Some of the author's thrusts at the quantity theory are very well placed and call for careful defense. Yet on the whole, the discussion, like that of the other anti-quantity theorists, seems to me to dodge the main issue instead of meeting it squarely. That issue, I take it, rests on the fact that an increased demand for particular commodities is not, in itself, an adequate explanation of a *general* rise in prices. Suppose that Europe, after the outbreak of the war, had been able to cover its demand for war materials from America by offering in exchange an equal value of other goods, so that exports would have equalled imports. In that case, the European demand would have caused no marked rise of the American price-level. Or suppose that our own government, upon our entry into the war, had raised all necessary funds by taxation rather than by borrowing; here too, prices might not have risen, since the increased demands of the government would have been offset by the decreased demands of those individuals whose spending power had been reduced by the

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taxes. Or, finally, suppose that the government, while borrowing money through the sale of bonds, had discouraged the purchasers of these bonds from borrowing on them from the banks; in this case, also, prices would have been held down by the reduced purchasing power of those individuals who had invested their earnings in Liberty bonds.

Whether or not any one of the above-mentioned policies would have been wise or feasible is beside the point. They are mentioned here simply to indicate that one cannot explain a rising price-level merely by referring to an unusual demand for certain commodities. It was because this demand was satisfied in a particular way, namely, by the expansion of bank credits and bank currency, that prices soared to such dizzy heights. Had this same demand been satisfied in other ways, the effect on prices would have been different.

One further topic which the author discusses must not be left unmentioned—the excess-profits tax. In a short but convincing chapter, both statistical and theoretical considerations are brought to the defense of this tax against the charge that it has been shifted to the consumer in the form of higher commodity prices. Friday has done a real service by giving a non-technical but able defense of a tax which, despite the odium which it has aroused in the business world, may yet some time be regarded as one of the most important instruments of social justice.

JAMES C. BONBRIGHT.

COLUMBIA UNIVERSITY.

The History of Trade Unionism. By SIDNEY and BEATRICE WEBB. Revised edition. New York, Longmans, Green and Company, 1920.—xv, 784 pp.

Life and Labour in the Twentieth Century. By C. R. FAY. Cambridge, University Press, 1920.—viii, 319 pp.

A reading of the new edition of the Webbs' monumental History increases one's respect for those rare geniuses who can combine the qualities of the scientific historian with those of the social philosopher. The distinguishing mark of the Webbs' work, especially of recent years, is increasing confidence and power in critical and constructive thinking about society's most baffling problem—the nature and application of "democracy" to social and industrial life. The History is in effect a study of the growth of the democratic idea in the mind of the British working class, an interpretation of a profound intellectual

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revolution in terms of its economic origins. It is the absorbing story of the ascent to power of the movement which without question stands today as the one bulwark of English liberty, of real self-government and responsible internationalism.

Viewed in another light it is the study of a transition—as yet by no means complete—of the working-class association from an agency to protect a standard of living to one solicitous to advance a standard of production. Of the trade unions' primary object, "to maintain and improve their members' standard of life", the conclusion is reached that unionism "has emphatically justified itself by its achievements; that it has to its credit during the past three quarters of a century no small measure of success, with more triumphs easily within view."

But though unionism "has gone far to protect the worker from tyranny", it has not as yet "gained for him any positive participation in industrial management". How that participation might with advantage take place, and the problems which "democracies of producers" encounter, are discussed by the authors in the light of a wide historical knowledge and a fund of contemporary experience acquired on administrative boards and commissions. And the conclusion is stated that:

> The management of industry, a complex function of many kinds and grades, will, as we see it, not be the whole sphere of either the one or the other set of partners, but is clearly destined to be distributed between them —the actual direction and decision being shared between the representatives of the Trade Union or Professional Society on the one hand, and those of the community in Cooperative Society, Municipality, or National Government on the other. And this recognition of the essential partnership in management between Associations of Producers and that Association of Consumers which is the community in one or other form, will, we suggest, take different shapes in different industries and services, in different countries, and at different periods; and, as we must add, will necessarily take time and thought to work out in detail. One thing is clear. There will be a steadily increasing recognition of a fundamental change in the status both of the directors and managers of industry (who are now usually either themselves capitalists, or hired for the service of capitalist interests), and of the technicians and manual workers. The directors and managers of industry, however they may be selected and paid, will become increasingly the officers of the community, serving not their own but the whole community's interests. The technicians and manual workers will become ever less and less the personal servants of the directors and managers; and will be more and more enrolled, like them, in the service, not of any private employer, but of the community itself, whether the form be

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that of State or Municipality or Cooperative Society, or any combination or variant of these. To use the expression of the present General Secretary of the Miners' Federation (Frank Hodges), manager, technician, and manual worker alike will become parties to a "social" as distinguished from a commercial contract. All alike, indeed, whatever may be the exact form of ownership of the instruments of production, will, so far as function is concerned, become increasingly partners in the performance of a common public service.

For the student of history that paragraph may be less important than for the student of government and industry. Yet it states conclusions which only a wide reading of history could confirm and from which those who are watching economic tendencies historically would not readily dissent. The significance of the above conclusions for the American reader lies (1) in their tacit acceptance of the principle of unionism as underlying all organized community action in the industrial field; (2) in their appreciation of the multifarious forms which economic activity in the public interest can take; (3) in their recognition of a changing relationship between technical managers and manual workers.

If this History thus brings into sharp relief the form and purpose of voluntary and state organizations which seem likely to provide the institutional basis for a new social order, it will perform its best service for its American audience. Alike in its ready acceptance of the trade union as an inevitable and desirable body in the scheme of things, and in its exposition of the legal fight which has been necessary to put the unions where they are, the study has practical suggestions for us.

Contrast, for example, the anomalies of the American labor unions at law with the present legal status of the British unions:

> The final result of the successive attempts between 1901 and 1913 to cripple Trade Unionism by legal proceedings was to give it the firmest possible basis in statute law. The right of workmen to combine for any purpose not in itself unlawful was definitely established. The strike, with its "restraint of trade," and its interference with profits and business; peaceful picketing even on an extensive scale; the persuasion of workmen to withdraw from employment even in breach of contract, and the other frequent incidents of an industrial dispute were specifically declared to be, not only not criminal, but actually lawful. The right of Trade Unions to undertake whatever political and other activities their numbers might desire was expressly conceded. Finally, a complete immunity of Trade Unions in their corporate capacity from being sued or made answerable in damages, for any act whatsoever, however great might be the damage

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thereby caused to other parties, was established by statute in the most absolute form.

There is, finally, in the history of "direct action" much that will repay careful reading in our own country. The Webbs' contention is that it is a measure of desperation with all but a small group of theorists—desperation due largely to the miscarriage of representative government in the present Parliament. And they conclude that

> the vast majority of Trade Unionists object to Direct Action, whether by landlords or capitalists or by organized workers, for objects other than those connected with the economic function of the Direct Actionists. Trade Unionists, on the whole, are not prepared to disapprove of Direct Action as a reprisal for Direct Action taken by other persons or groups. With regard to a general strike of non-economic or political character, in favour of a particular home or foreign policy, we very much doubt whether the Trade Union Congress could be induced to endorse it, or the rank and file to carry it out, except only in case the Government made a direct attack upon the political or industrial liberty of the manual working class, which it seemed imperative to resist by every possible means, not excluding forceful revolution itself.

I have intentionally dwelt upon those parts of the book that have been added in the revision. If not of the most permanent value, they are of the greatest immediate interest, and they show the Webbs in the full flower of their critical and prophetic powers. Theirs is a great history—a prodigious piece of scholarship in the service of a lofty but sane conception of social reorganization.

Mr. Fay's history, wholly different in method, traverses the same period and may well be read before the trade-union history by any who fail to understand the passion and the persistence behind the will to organize. The author has evidently been influenced in the treatment of his material by the Hammonds, and he succeeds in imparting a lively and an intimately human note to his exposition. On the other hand, though apparently written for the uninitiated, his study covers some of the ground so cursorily that some prior knowledge of the episodes treated is almost essential; and a sense of the continual flow of events is hard to get because periods are sharply and artificially divided.

As an interpretation of the human consequences of the early factory decades, as a characterization of the effects on the workers of an aggressive industrialism, Mr. Fay's history has permanent utility. But read as it should be, in conjunction with the Webbs' study of how the workers

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organized to withstand that industrialism, it takes on its most real significance and derives its greatest value.

ORDWAY TEAD.

NEW YORK CITY.

The Casual Laborer and Other Essays. By CARLETON H. PARKER. New York, Harcourt, Brace and Howe, 1920.—199 pp.

During the years which have elapsed since economic science was first given definite form and structure by the classical economists the science has been assailed from many directions. The temper of each succeeding generation, in a sense, has been reflected in its reaction to the body of inherited economic doctrines. In recent years the iconoclastic movement which has been most strongly forced has centered in the psychological preconceptions of economics. Though the attack was begun some years ago by the trenchant criticisms of Thorstein Veblen, it is only within the last decade that the skirmishing has extended over any considerable section of the front. Today questions revolving about this problem are among the most insistent with which economists have to deal. Have economists any concern with the findings of the psychologists? Is classical economics completely invalidated by recent changes in psychological conceptions? If not, what degree of renovation may be required in these classical doctrines? With what problems is the old economics competent to deal, and what problems is it incompetent to attack if the newer psychological conceptions are to be accepted? These are questions which are not only pressing for solution in the realm of abstract reasoning, but are being brought sharply to the front in the hurly-burly of industrial reality.

Among the younger participants in this attack upon the psychological bases of orthodox economics none has pressed the fighting more assiduously than Carleton Parker. Comparatively unknown four years ago, this young economist from the West attracted national attention by his work in the field of labor and in the practical application of a technique of research based upon psychological findings. His death early in 1918 put an untimely end to his work in economics, leaving only scattered fragments to suggest what his future accomplishments might have been. These miscellaneous essays have been gathered together by his wife, and now appear in book form. Though the book contains no complete and consistent development of his theories, it is yet a welcome contribution to economic literature. It serves to bring out the main charges which Carleton Parker

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preferred against the classical economists, and, in addition, it contains concrete examples of the application of his newly developed tools to the task of interpreting and correcting the maladjustments of industrial society.

Of the four essays which the book contains two are concerned with fundamental theoretical issues. Of these two essays, one, dealing with "Motives in Economic Life", has already been published, having been delivered as an address before the American Economic Association in January, 1918. The second, perhaps the most significant essay in the book, is called "Toward Understanding Labor Unrest". This was an unpublished brief which Mr. Parker prepared for submission to a group of friends as a rough exposition of his views. The other two essays, "The Casual Laborer" and "The I. W. W.", deal with specific aspects of the labor problem. They are chiefly significant, however, in the light they throw upon the type of problem which Mr. Parker believed capable of study by means of the technique furnished by behavioristic and abnormal psychological research, and upon the method of applying this technique. There is in addition an appendix containing a report on the Wheatland Riot of 1913, which was investigated by Parker as secretary of the Commission of Immigration and Housing of California. An introduction by Cornelia Stratton Parker explains the circumstances under which the various essays were written, and gives some extremely interesting facts concerning her husband's intellectual development.

A phase of this development is explained by Carleton Parker himself in the first essay in the book—"Toward Understanding Labor Unrest". He there explains the situation in which he first realized the inadequacy of the tools furnished by orthodox economics for the solution of the particular problems with which he was then concerned, problems of labor unrest. The essential weakness of an economic analysis founded upon the classical basis he felt to lie in the interpretation of the springs of human conduct. In actual life men simply did not react to situations in the way which economic science assumed. Men were not hedonistic, men were not perfectly rational, men were not balanced pleasure-pain machines. Human behavior, as he observed it in the hop-fields, in the "jungles", in the mines of the West, could not be explained in any such simple manner as that. The human mind was complex, irrational, disordered, its workings altogether incapable of reduction to the simple categories of the text-book on economics. Carleton Parker sensed the truth which Santayana has voiced:

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We are not dealing with an articulate mind whose possessions are discriminated and distributed into a mastered world, where everything has its department, its special relations, its limited importance; we are dealing with a mind all pulp, all confusion, keenly sensitive to passing influences and reacting on them massively and without reserve. . . . This mind is feeble, passionate, and ignorant. Its sense for present spirit is no miracle of intelligence or of analogical reasoning; on the contrary it betrays a vagueness natural to rudimentary consciousness.

And human behavior, Carleton Parker found, varied sharply with environment, the codes of business behavior, for instance, being thoroughly alien to the behavior of migratory laborers. Since he was interested primarily in how men behaved, what they did, and why they did it, in the jungle camp as well as in the market place, he began to cast about for tools with which he might approach such problems. He found these tools, he thought, in the field of psychology, in the work of behavioristic and abnormal psychologists.

Carleton Parker was not the first to blaze this trail. Veblen, Mitchell and one or two other American economists had questioned the old psychological preconceptions of economics and had begun an analysis of more recent psychological developments in the attempt to discover their bearing upon the work of the economist. But none came into the field with more enthusiasm than did Parker, and none, in the course of the three years during which he pursued this line of endeavor, did more effective work in the application to economic research of the technique which was afforded by the contributions of the psychologists.

It is difficult at this time to appraise the work of Carleton Parker in its relation to the development of economics in America. His work in "psychological economics" extended over very few years, it must be remembered, and necessarily lacked the ripeness and maturity which time would have given it. The psychology upon which he based his work is itself in the developmental stage, as Parker fully realized. The value of his work, then, cannot be measured in terms of the number of volumes bearing his name, nor yet by the number of "laws" established through his investigations. But to American labor research, and to all other branches of economic investigation as well, Carleton Parker has contributed a method, a point of view and a spirit which, it may be hoped, will endure long after the details of his psychology are antiquated. If the present volume serve to perpetuate the example of his method and to keep alive the memory of his rare freedom from intolerance

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and his clear sanity in the study of social phenomena, it will have performed a rich service.

FREDERICK C. MILLS.

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Personnel Administration: Its Principles and Practice. By ORDWAY TEAD and HENRY C. METCALF. New York, McGraw-Hill Book Company, 1920.—xii, 538 pp.

Tead and Metcalf have written the best book yet published on the principles and practice of personnel management. It is more complete, more detailed, and more explanatory than the other works in the field. Its scope is indicated by its main divisions: Personnel Department (reasons and functions), Employment Methods (sources of labor supply and methods of selection and placement), Health and Safety, Education (for executives, foremen, employees; company magazine, arousing interest, transfer and promotion, shop rules, grievances and discharge), Research (job analysis and specifications, turnover, labor audit), Rewards (elements in wage determination, payment plans and methods, insurance), Administrative Correlation, Joint Relations (shop committees, employees' associations, business value of the collective bargain, employers' associations, material industrial councils, purpose of industrial government).

The authors believe that "the next great step ahead in the more effective organization of industry is collective bargaining, first about work and second about pay" (page 269). They state that "the collective bargain offers the only real protection to the employer against his natural impulse to economize in the easiest but ultimately most expensive way" (page 468), and they hold "argument on job analysis and job determination to be the bedrock on which all future joint dealings should be based" (page 473). "Progress . . . is assured as soon as employers become convinced that collective bargaining properly conducted is one of the principal means of restoring interest in work, creating a sense of self-respect and human dignity in the workers, and educating managers as well as managed into their respective responsibilities for a productive industrial system" (page 479).

Many will feel that the text too unreservedly approves a strongly centralized personnel operation and others will doubtless point out that the insistence upon the determination of labor policy chiefly by the personnel executive is an impossibility, since this is primarily a

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financial function. The authors have, I believe, given insufficient consideration to these very critical points.

The book suffers by its length and somewhat wordy style. It has also rather too much of exhortation. This latter fault is, perhaps, due to the fact that concern with the personal element in business is at the present time a moral issue, and moralists are so often moralistic.

Whether or not business executives agree with the book, they will find profit from its study, for in convenient form and in good order the more important items of knowledge and opinion regarding personnel management and employment are gathered together in a single volume and supplemented by well-selected bibliographies.

JOHN J. COSS.

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BOOK NOTES

In the midst of the present-day deluge of works on the theoretical, psychological and sociological aspects of politics, it is encouraging to realize that interest in the betterment of the machinery of democracy has not been wholly submerged. It would be a pity if everybody, accepting the glibly-flung accusation that parliamentary government is bankrupt, dropped the plowshare of reform and retired to speculate upon the woes of the existing order and the beneficences of some one or other of numerous impending millenniums. In spite of its alleged bankruptcy democracy will probably be with us for a time. While we await its ending we might as well, for purely selfish reasons, tinker up its ramshackle machinery as best we may. And so it is worthy of note that Mr. Gustavus A. Weber, in his *Organized Efforts for the Improvement of Methods of Administration in the United States* (New York, D. Appleton and Company, 1919; xv, 391 pp.) gives us an interesting and valuable collation of information about some of the things we have been and are doing to this end. This book is concerned with the organization, methods, achievements and publications of public and quasi-public agencies for research in government, for the exercise of general administrative control, and for legislative reference and bill drafting. When brought together in a single volume the very number of such agencies is really quite impressive. Of course it would be very nearly impossible, except upon the basis of an intimate personal knowledge of the operation of many of these agencies, to make a just and fair assessment of their actual usefulness and importance. This the author seldom if ever attempts; he offers them at their face rather than at an appraised value. But for purposes of information concerning their purported aims and their publications the work cannot fail to be of use. Some parts of the information here presented have been brought together in other publications, but it is certainly an advantage to have the subject treated as a whole. Generally speaking, there is little to criticize either in the matter of inclusion or exclusion or in the matter of systematic and orderly presentation.

Many years must elapse before an authentic history of the woman-suffrage movement, either in this country or in Great Britain, can be written. When the time comes, Mrs. Millicent Garret Fawcett's

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The Women's Victory—and After (London, Sidgwick and Jackson, Ltd., 1920; viii, 176 pp.) will be of value to the historian; for it is the first-hand story, by the leader of the non-militant suffragists, of the final years of the struggle. This new volume forms a sequel to Mrs. Fawcett's *Woman Suffrage: A Short History of the Great Movement,* which appeared in 1911. Together these two books give the history of the struggle for woman suffrage from the point of view of the National Union of Woman Suffrage Societies—an organization which corresponded in Great Britain to the National American Woman Suffrage Association in the United States. The work of the Militants comes in for frequent and not entirely unsympathetic mention, but it can hardly be expected that Mrs. Fawcett should do full justice to the part played by Mrs. Pankhurst and her followers in forcing woman suffrage forward as a critical political question. There is plenty of literature on the Militant movement. Mrs. Pankhurst and Sylvia Pankhurst both wrote their accounts of the struggle while it was still in progress, and in 1917, before the passage of the Reform Act of 1918 which enfranchised some eight millions of Englishwomen, Miss A. E. Metcalfe set down the complete story of suffrage militancy in her *Woman's Effort.* With the earlier volume on the suffrage movement by Helen Blackburne, which was published in 1902, Mrs. Fawcett's two volumes and Miss Metcalfe's book, the student can now obtain a fairly full comprehension of the struggle of the Englishwomen for political enfranchisement, the obstacles they had to meet, the methods taken to overcome them and the tortuous paths of parliamentary procedure through which they had to travel to reach their goal.

In *Le Vote des femmes* (Paris, Felix Alcan, 1920; xi, 618 pp.) Professor Joseph Barthélemy has presented a study of woman suffrage from the standpoint both of theory and of practice. He examines critically the arguments that have been employed; describes the spread of the propaganda and its conquests in Europe, America, and Australasia; and attempts to appraise the actual results of enfranchisement—the degree to which women have availed themselves of the new privilege, their influence upon politics, and the correlative influence of politics upon them. Although a convinced suffragist, he never allows personal sympathies to warp his judgment; as in earlier books which dealt with controversial subjects, he writes always with the fairness and authority of the scholar. His conclusions should therefore carry some weight. "Eliminate in the first place", he says (page 595), "all the dark prophecies of the oppo-

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nents of woman suffrage. Then take the optimistic prophecies of its partisans, make a reduction of 95 per cent, and you will have something near the truth. Here you have the result of this long inquiry." And again (page 611): "Woman suffrage does not herald the dawn of a new era. Those who expect an electoral law to transform the conditions of humanity will inevitably be disappointed. If it marks some progress, however slight, over the past, that should suffice. Woman suffrage has realized this minimum advance toward better things. A breath of sentiment, of delicacy, a new spirit of disinterestedness and honesty is manifesting itself in the legislation of feminist countries. . . . The reform is something more than a mere change of label." In his opinion (page 610) equal suffrage is "the system that will be; it is taking the path that, willingly or unwillingly, perhaps with some rude shocks and some retracing of steps, history is bound to travel to the end: the path of evolution and democratic progress." The suffrage movement in Great Britain and in the United States is described at some length (more than eighty pages in each case), but American readers will probably draw more profit from the chapters that deal with the less familiar movement in the Continental states. "The Latins", says Professor Barthélemy (page 114), "surround their women with an aureole; but they are little enough disposed to accord them political rights. They regard woman as their superior; they refuse to make her their equal. Among them the feminist movement is not very intense. It would be easy to mass a fairly considerable number of facts that would easily create an illusion. But really the suffrage movement has remained superficial; it has not reached, as in England, the masses of the people." True; and yet, as he proceeds to show, post-war conditions in France are, as they have proved in Italy, favorable to the feminist cause.

A great deal of curious information is packed away in D. P. Heatley's *Diplomacy and the Study of International Relations* (Oxford, Oxford University Press, 1919; xvi, 292 pp.), a book which the student of the history of international relations will find useful. Mr. Heatley, however, is frankly antiquarian. He deals with the literature and the gossip of the beginnings of diplomacy rather than with the problems of the present time. Two-thirds of the book are given to the appendix, which contains elaborate quotations from and references to the literature of international relations. There is material on the beginnings of international law, controversial subjects like freedom of the seas, treaties, alliances, recent British

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diplomacy, and international ethics. A number of extracts deal with the function of the ambassador, the qualities of the diplomatist and the conduct of negotiations. An introductory essay on "Diplomacy and the Conduct of Foreign Policy" is decidedly suggestive.

The action of the Senate on the Treaty of Versailles lends special interest to Professor Ralston Hayden's monograph, *The Senate and Treaties, 1789 to 1817* (New York, The Macmillan Company, 1920; xvi, 237 pp.). This is a scholarly study of the development of the Senate's treaty-making powers during what the author regards as the formative period of their history, *i. e.*, the administrations of Washington, John Adams, Jefferson and Madison. The author shows how under pressure of the circumstances attending the making of particular treaties procedure was evolved and precedents were established. He reviews the early activities of the Senate as a council advisory to the President in the negotiation of treaties, and lays particular emphasis upon the procedure followed in the Jay Treaty, which established important precedents, especially in the negotiation of the treaty by the Executive alone. When this came to be the practice, the Senate became free to accept, amend or reject treaties. Its peculiar position in treaty making has sometimes caused misunderstanding, but there has been only one occasion, as the author shows, on which another government took the position that the Senate had no right to amend a treaty negotiated by diplomatic representatives acting under powers conferred upon them by the government of the United States. Despite favorable mention of Senator Lodge's essay, "The Treaty Making Powers of the Senate", the author gives no evidence of taking sides in the great dispute over the Treaty of Versailles.

Admirers of Dean John Henry Wigmore's monumental volumes on the law of evidence will be disappointed in his *Problems of Law* (New York, Charles Scribner's Sons, 1920; vi, 136 pp.), which contains three lectures delivered by him on the Barbour-Page Foundation of the University of Virginia. One of the conditions of the deed of gift is that the lectures "shall possess such unity that they may be published by the Foundation in book form." To this requirement is doubtless due the sub-title of the volume: "Its Past, Present and Future". The only observable unity in the lectures is that they deal with different periods of time. The first lecture on the evolution of law is a compound of anthropology, philosophy, psychology, sociology and history, with a pinch of law and a lot of physics. In searching for the most general formulæ of legal evolu-

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tion "we must", says Dean Wigmore, "assist our minds by analogies of the material world". He rejects the "simple, undulating line", the "single line with angular regressions", the "simple circle returning upon itself", the "ascending straight line", the "helix, or circular spiral" whether "constantly ascending but returning over itself identically", or "constantly ascending but enlarging itself". These will never do. "A much more plausible hypothesis," he says, "is the analogy of the planetary system, with its numerous local interdependent motions." With the aid of this figure the lecturer shows the interrelation between law and social conditions. Coming to the present, the second lecture, on "Methods of Law Making", discusses the "inherent contrast between law—the abstract—and justice—the concrete—a contrast inherent and forever inescapable". For judicial law-making Mr. Wigmore would have less of *stare decisis* and more of *freie Rechtsfindung* or *libre recherche*. To improve the legislative product he would "make experts of the legislators (1) by reducing their numbers, (2) by giving them longer terms, (3) by paying them enough to justify it as a career for men of talent, (4) by making their sessions continuous." The third lecture on the future is called "Problems of World Legislation and America's Share Therein". This is confined to a consideration of private law and discusses means of securing uniform commercial law throughout the major states of the world. It recommends that Congress by general law give its consent to compacts between our states and foreign powers upon specified subjects of law, that the large commercial states send delegates to international conferences, and that the codes proposed by these conferences be enacted by the legislatures of the states.

For extended and tedious discussion of *freie Rechtsfindung* and *libre recherche* one should go to volume IX of the Modern Legal Philosophy Series in which essays by Gény, Ehrlich, Gmelin, Kiss, Berolzheimer, Kohler, Pound, Gerland, Lambert, Wurzel, Alvarez and Freund are gathered together under the title *Science of Legal Method* (Boston, The Boston Book Company, 1917; lxxxvi, 593 pp.). The last three writers consider "The Problem of the Legislator", dealing principally with legislative drafting and codification of law. Much the greater part of the collection is comprised in part I, which is called "The Problem of the Judge". With plenty of profundity and too much ponderosity the various writers put their emphasis on three main points: (1) judges are not mere automatons, but on many important questions brought before them

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they have a choice between two or more possible courses; (2) difference of decision is due less to differences of logic than to the selection of different premises; (3) in selecting a premise, chief weight should be given to the conditions and prevailing opinions of the time. To those who still hold contrary notions this book should be administered either as a remedy or a penalty. As a remedy, however, it is not likely to effect a cure; for it consists mainly of doctrine, and one doctrine is seldom an antidote for another. Those who know that law is the embodiment of perfect reason and the eternal and unchanging principles of justice of which judges are the passive mouthpieces, are not likely to surrender their vision because they find it here denied. And they that are well have no need of these physicians. Roscoe Pound's paper on "Courts and Legislation"—the only one by a common-law jurist in this part of the collection—is a welcome exception to the general dreariness. Here and elsewhere Dean Pound has distilled for us most of the views of the writers here assembled. That such distillation is to be desired is not likely to be denied by those who wade through the essays here printed *in extenso*.

The best we can ask of a propaganda tract is that it shall be good of its kind. If it tells the truth and nothing but the truth, it must be forgiven for not telling the whole truth. Its very mission puts it under the scientific handicap that necessarily besets all political and economic advocacy. In *The Case for Nationalization* (London, George Allen and Unwin, Limited, 1920; 310 pp.) Mr. A. Emil Davies, chairman of the British Railway Nationalization Society, has written a tract that clearly must be judged good of its kind. He eschews perfervid exhortation and obvious fallacies. He appeals widely to experience. He gives enough of the arguments of his opponents to afford us a clear idea of the actual controversy now going on. He furnishes to the uninitiated a better basis on which to form a thoughtful judgment. In tone and temper, in emphasis on the concrete, this British missionary sets an example worthy of emulation by that large company of American economic preachers who are prone to urge their divergent creeds with so much more heat than light.

The *Oxford Tracts on Economic Subjects* (London, Oxford University Press), issued under the direction of Humphrey Milford, reintroduce the penny (in this case 1½*d.*) leaflet as a means of popular education. Written by trained economists, who modestly remain anonymous, the leaflets thus far published treat of such subjects as

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"The Industrial Conflict", "Why Nations Trade", "Real Wealth and Real Wages", and "Capital, Capitalism, and Capitalists". As aids to extension and trade-union class instruction these pamphlets should prove of great value. Whether they can command the wide circulation desired by the distinguished committee of Oxford educators who have projected the series, experiment alone can demonstrate.

Among the indications of a widespread determination to make the changes wrought by the War the basis for a permanent improvement in the condition of the wage-earners of the world, few are more arresting than the investigation being carried on by the St. Philip's Settlement Education and Economics Research Society of Sheffield, England, the first results of which have been published in a volume entitled *The Equipment of the Workers* (New York, The Macmillan Company; London, George Allen and Unwin Ltd., 1919; xv, 334 pp.). This is to be followed by another volume on *The Education of the Workers* and a third on *The Environment of the Workers,* the purpose of the three being to set forth clearly and comprehensively the actual conditions in a typical British manufacturing city like Sheffield, in order to arouse public opinion to the need of action and to guide action into channels that will lead to progressive improvement. St. Philip's is a Y. M. C. A. Settlement and the general point of view of the committee which prepared and published the volume is that spiritual improvement must accompany material improvement if either is to be of lasting benefit and that the only way to bring them about is through what they call "the Great Education", a thorough reform and vast extension of the national educational system. One of the changes urged is that the government should control and edit through the educational authorities the front and back pages of every newspaper, using the space not for partisan purposes but for the presentation of current news of real cultural value, the free advertising of worthwhile concerts, lectures, plays *etc.* and the publication of good literature generally. They would have the school enlarged to provide education for adults as well as children, libraries administered so that books would seek readers rather than serve as mere depositories where readers may seek books, public houses run as social and educational centers, advertisements controlled in the interests of economy as well as decency, and in general the world purposefully directed away from lower and toward higher aims and ambitions. Following chapters in which this educational program is explained, and the Fellowship of Reconstruction, resembling our Big Brothers movement, is described as a means of

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carrying it out, the body of the book records the results of a careful investigation into the character, capacity and outlook of representative men and women wage-earners of Sheffield. Four hundred and eight individuals of each sex were studied by the method of sampling, and the biographies of individuals representing each of the five classes into which these are divided are reproduced to show their "equipment" for a better industrial and social world. If a large proportion of the men and women studied seem ill-equipped, the committee argue that this is added proof of the need for their program of educational reform. Whatever may be thought of the constructive proposals of the book, the cross-section view which it gives of the minds, lives and habits of the wage-earners of Sheffield is highly instructive.

The American business man is generally too busy to read books, let alone writing them. A study of American problems from the pen of a vice-president of a large bank in New York and the director of the five Liberty Loan campaigns in the second Federal Reserve District is, therefore, noteworthy. Mr. Guy Emerson's *The New Frontier* (New York, Henry Holt and Company, 1920; xii, 314 pp.) is a strong plea for a sane liberalism in our political and economic life, as opposed to an impatient radicalism on the one hand, and a smug conservatism on the other. Finding the genuine American spirit in the ideals of the pioneers, whom he has appreciatively studied in the works of Professor Turner and Theodore Roosevelt, Mr. Emerson appeals to the moulders of public opinion in politics, in business, and in the press, to labor in organizing the great American people for its march toward the new frontier of industrial and social democracy. Progress tempered by good judgment, reform which reforms rather than destroys, programs political and industrial which court the full light of publicity and invite the freest discussion, abiding faith in the soundness of the American tradition of democracy and in its power to win the vast majority of our citizens—these are held to be the notes of true liberalism. Mr. Emerson has no fear for our future. "The radical is dangerous only when the liberal is quiescent; the conservative tends to reaction only when the liberal is inactive."

In *The Advancing Hour* (New York, Boni and Liveright, 1920; xix, 262 pp.) Mr. Norman Hapgood hops from theme to theme and from topic to topic, uttering whatever comes into his head about himself, Russia, free speech, propaganda, cooperation, liberalism, socialism, the Supreme Court of the United States, and other re-

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lated and unrelated subjects. Much that he says is worth heeding, but those who most need it are not likely to be turned from the errors of their ways by Mr. Hapgood's lively pokes. Such a book, however, has its place in the competing vociferation of contemporary controversy.

That the late Andrew Carnegie was something more than an ordinary "captain of industry" is amply confirmed by the posthumous *Autobiography of Andrew Carnegie* (New York, Houghton, Mifflin Company, 1920; xii, 385 pp.). The chief interest of the book, of course, is the story of how a poor Scotch boy came to America, amassed great wealth and then gave most of it away to establish such worthy enterprises as public libraries and foundations for the promotion of education, scientific research and international peace. But along the road from railroad employee to bridge manufacturer, to steel magnate, to retired capitalist and philanthropist, Carnegie was ever seeking his own cultural development. In this quest he became the friend of literary men as far apart as Matthew Arnold and Josh Billings; of religionists as antithetical as Henry Ward Beecher and Robert Ingersoll; of statesmen as opposite as Gladstone and Kaiser Wilhelm. With all of these Carnegie had some point of sympathetic contact. The volume is well worth reading, both for its intrinsic interest and for the light it throws upon socio-economic history during the last quarter of the nineteenth century. The book is ably edited by Professor John C. Van Dyke and there is a short but helpful explanatory preface by Mrs. Carnegie.

Mr. Herbert Fisher explains in the preface to his *Studies in History and Politics* (New York, Oxford University Press, 1920; 213 pp.) that they were written before he became president of the Board of Education. The eleven papers in the volume have, for the most part, appeared in periodicals and relate to historical rather than to political subjects. The spiritual as well as the political history of modern France is dealt with in studies on "Rousseau", "Ollivier's Mémoires", "French Nationalism", and "Thoughts on the Influence of Napoleon". Germany is touched upon in "The Resurgence of Prussia", and "Modern German Historians". "The Value of Small States"—one of the Oxford pamphlets on the war—and "Imperial Administration" are primarily political essays. Mr. Fisher is always profound and frequently interesting. The chief criticism to be made of his method is that he has not sufficiently taken to heart his own words about Lord Acton: "A man would hardly be human if, with this great business capacity for the ar-

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rangement of knowledge, he did not sometimes err in assuming a corresponding quality in his readers. In some of Lord Acton's historical articles the knowledge is so recondite, so closely packed, so overwhelming in weight and quality, that the mind of the reader recoils." But this is praise as well as blame.

Almost a life-long acquaintance with the relations between Europe and the Orient renders H. M. Hyndman, the English publicist, worthy of consideration as an authority in the field, even if his politico-economic views are of the radical sort that condemns defects without just allowance for possible virtues. Both his knowledge of the general subject and his personal bent of mind are well exemplified in *The Awakening of Asia* (New York, Boni and Liveright, 1919; viii, 280 pp.). The work supplies a brief historical survey of European activities in the Orient, with especial emphasis upon the more recent results of the contact between East and West for the weal or woe of humanity at large. When Mr. Hyndman originally started upon his investigation of the matter he believed that Asia had been the gainer in the process. Now he is sure that European domination has been "almost wholly harmful". The book is a good antidote to the prevailing cant about the "white man's burden", but is hardly fair to the bearer thereof. Its chief merit, indeed, lies in the significance it attaches to Asia as the greatest problem that the European world has to face.

Whether the island empire of the Orient is a "menace or a comrade to be welcomed in the fraternity of nations" is a query that is answered by Dr. Jabez T. Sunderland in *Rising Japan* (New York, G. P. Putnam's Sons, 1918; xi, 220 pp.). Comparing the civilization of Japan with that of Europe and America, and discussing the "menace" in its relation to the United States as a whole, China, California and the Philippines, the author of this timely and well-written little volume finds no peril of the kind existent. Any risk of it will be obviated by a maintenance of popular sanity, a definite application of federal control to aliens and an improved immigration law.

The Great Adventure of Panama (Garden City, Doubleday, Page and Company, 1920; xv, 267 pp.) is written by Philippe Bunau-Varilla, who was rather well known in that connection. It purports to expose the relations of the "adventure" in question to the Great War, and also the "Luminous Traces of the German Conspiracies against France and the United States". As a blast against the "Boches" it might have been deadlier if blown earlier.

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In the absence of any systematic and impartial treatment of the subject, such a sketch as that presented by F. A. Kirkpatrick in *South America and the War* (Cambridge, University Press, 1918; viii, 79 pp.) is serviceable as a presentation of the British viewpoint at the time of its appearance. The booklet contains the substance of a course of lectures delivered at the University of London. It assails German activities, retrospectively and prospectively considered, in Latin America, and endeavors to portray the situation among the various countries in that area, as affected by the war. In view of the recent entry of the United States into the struggle, the account is not so unsympathetic in its attitude toward "Pan-Americanism" as some of the earlier writings of the author might suggest.

In a previous work, *L'Allemagne et l'Amérique Latine,* M. Émile R. Wagner set forth in prophetic fashion the preparations for future revenge by a conquered but unrepentant Germany. His *La Revanche de la kultur* (Paris, Librarie Félix Alcan, 1919; ix, 430 pp.) was written in 1916-1917, but no changes were felt to be necessary when the author put it to press in 1919, for his prediction that the allied armies would win complete success had been fulfilled, and his prognostication that the German would as soon as possible again "raise his arrogant head" was no more tenable in 1919 than in 1916. The author commits himself to a classical type of arraignment. He adopts in his title the bruited appellation, "Third Punic War", which the Germans had adopted in their psychological confidence in predictive reflexion. And then he goes further in his revivification of the mysteries of the past and intuitive solution of the secrets of the future, taking as his motto the possible if puzzling conjecture of "What song the Syrens sang, or what name Achilles assumed when he hid himself among women". The book makes a fierce attack on the "hyperscientific" methods of warfare adopted by the Germans, and explains their early drives in the light of their successful harnessing of the forces of nature. The final victory, one is gratified to learn, belongs to the side of law and justice.

The New Germany by George Young (New York, Harcourt, Brace and Howe, 1920; xiii, 333 pp.), and *Germany After the Armistice* by Maurice Berger, translated by W. L. McPherson (New York, G. P. Putnam's Sons, 1920; xvii, 337 pp.), are alike in only one respect; they are the impressions of entente observers in Germany during the months between the armistice and the treaty. But while the Belgian interests himself in personalities, the Englishman interests himself in events and movements. Both are valuable as

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contemporary documents, but their journalistic quality, which made them contributions to our knowledge in 1919, is now against them. They inform us concerning the Germany of two years ago; they hardly satisfy our curiosity as to the Germany of 1921. George Young was a trained observer before he made this essay into journalism as the correspondent in Germany of the *Daily News*. His diplomatic experience in the British Embassy at Constantinople and at Lisbon produced remarkable scholarly works on both Turkish and Portuguese history. He took to Germany the convictions of a radical English Liberal, which means a certain sympathy with the beaten enemy and a readiness to believe in the revolution. The picture he draws is therefore tinged with a certain optimism in spite of the disorder, mob rule, and disorganization in government and society which form the main theme of the book. When one believes in a revolution its surgery is not so much a saddening spectacle as a necessary operation; and those who are not averse to "Council government" are bound to find the cost of the German revolution relatively slight. Mr. Young gives a graphic picture of the actual struggle, with sketches of typical Germans drawn in a lifelike and withal sympathetic and understanding way. If the work is journalistic it is of the kind of journalism that is of most use to the historian. His lengthy analysis of the Treaty of Versailles is much more open to controversy. Whatever else the Peace might have been it surely would have been even more misleading to have carried it further toward the world-state—on paper; unless there were a sure way for honoring the obligations later. Radical Liberalism has hardly been happy in its criticism of the treaty.

Lieutenant Berger was a Belgian visitor in Berlin during the months immediately following the armistice. He was the first "enemy" to interview many notable Germans, political and economic leaders and publicists. His interviews are of that short but brilliant type which one finds in the best Continental press, and, while sketchy, they leave real pictures of men like Brockdorff-Rantzau, Stinnes, Rathenau, Gwinner, Harden and the like. The volume is this and nothing more. The generalizations are not important. It is a useful book, but rather slight, and would have been more accessible if printed with smaller margins on less paper. We sadly need to cheapen this sort of reading, especially today; in short, to follow Continental traditions with such a typically Continental text.

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Der Zollanschluss des Grossherzogtums Luxemburg an Deutschland, 1842-1918 (Frankfurt-a.-M., Joseph Baer and Company, 1919; two volumes: 268, 252 pp.), by Dr. Albert Calmes, is an elaborate treatise on the commercial and political relations between Luxemburg and Germany. The treaty of February 8, 1842, by which Luxemburg entered the German Customs Union, was subsequently described by Treitschke as a compact all to the advantage of Luxemburg. Dr. Calmes, however, after a careful and detailed study of the customs returns, proves conclusively that the grand duchy, far from being a passive recipient of German favor, contributed her quota to German prosperity. In his previous monographs *Das Zollsystem des Grossherzogtums* (1907) and *Die Statistik im Fabrik und Warenhandelsbetrieb* (1911), the writer gave no forecast of a future separation of Luxemburg from the German Empire's commercial interests. The successive renewals of the Customs Union in 1847, 1853, 1866, 1872 and 1902, combined with the railroad treaties, all pointed to solidarity between the little state and its powerful neighbor. Yet Dr. Calmes does not seem to be out of sympathy with the resolution of the Luxemburg chamber, April 11, 1919, which provided for the denunciation of those same treaties. Thus, in 1919, Luxemburg was again adrift economically, with a frontier too long to protect by customs of her own. The confusion of 1839 was again to be feared. Unwilling to conclude an economic alliance with Belgium, Luxemburg is inclined toward France by preference, but may arrange a triangular compact. "Again Luxemburg is at the crossways! I publish this volume at a turning point of her economic and political history. It is not too late. To learn from the past is the command of the hour—and not only for Luxemburg!" Such are the rather cryptic words with which Dr. Calmes sent his work to press in August, 1919. He has given a valuable, well-supported chapter on the expansion of Germany and the development of the grand duchy, albeit his point of view is kept resolutely impersonal.

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